

Also, a bill (H. R. 4802) for the relief of Alexander M. Steed, of Clay County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 4803) for the relief of Thomas Bonner, jr., of Clay County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 4804) for the relief J. I. Catney—to the Committee on Claims.

Also, a bill (H. R. 4805) to refer the claim against the United States of Elizabeth Haden to the Court of Claims—to the Committee on War Claims.

Also, a bill (H. R. 4806) to pay the estate of Phillip Lightfoot, deceased, the sum of \$1,312 for stores and supplies—to the Committee on War Claims.

Also, a bill (H. R. 4807) to pay the estate of John M. Ellington the sum of \$7,755 for stores and supplies—to the Committee on War Claims.

Also, a bill (H. R. 4808) to pay the estate of John A. Brown, deceased, the sum of \$10,952 for stores and supplies—to the Committee on War Claims.

Also, a bill (H. R. 4809) to pay the estate of Mary Daugherty, deceased, the sum of \$1,045 for stores and supplies—to the Committee on War Claims.

Also, a bill (H. R. 4810) to pay the estate of Robert Mitchell, deceased, the sum of \$129,150 for stores and supplies—to the Committee on War Claims.

Also, a bill (H. R. 4811) to pay the estate of Jerry T. Cloud the sum of \$2,530—to the Committee on War Claims.

Also, a bill (H. R. 4812) to pay the estate of Unity E. Greenwood, of Macon County, Ala., the sum of \$4,550—to the Committee on War Claims.

Also, a bill (H. R. 4813) to pay to the estate of Sampson B. Cloud the sum of \$1,595—to the Committee on War Claims.

Also, a bill (H. R. 4814) to divest title out of United States and vest same in R. W. Allen & Co., to west half of southeast quarter, section 34, township 24 north, range 25 east, standard Southern meridian, Chambers County, Ala.—to the Committee on the Public Lands.

By Mr. TOWNSEND: A bill (H. R. 4815) granting a pension to Lizzie Callum—to the Committee on Invalid Pensions.

By Mr. WILEY of Alabama: A bill (H. R. 4816) granting an increase of pension to Narcissa Tait—to the Committee on Pensions.

By Mr. ZENOR: A bill (H. R. 4817) granting a pension to William H. Ward—to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BINGHAM: Resolution of the Pennsylvania Shoe Manufacturers' Association, relative to a 35-foot channel for the Delaware River, port of Philadelphia—to the Committee on Rivers and Harbors.

Also, memorial of the Philadelphia Board of Trade, relative to a 35-foot channel for the Delaware River, port of Philadelphia—to the Committee on Rivers and Harbors.

Also, resolution of select and common council of Philadelphia, relative to a 35-foot channel for the Delaware River, port of Philadelphia—to the Committee on Rivers and Harbors.

By Mr. BOWERSOCK: Papers to accompany bill to increase pension of James H. Devin—to the Committee on Invalid Pensions.

Also, petition of citizens of Louisburg, Kans., praying for the passage of a bill to increase pension of Rosetta Galbraith—to the Committee on Invalid Pensions.

By Mr. BURKETT: Papers to accompany bill to pension Victor Vifquain—to the Committee on Invalid Pensions.

Also, papers to accompany bill to pension William McBrien—to the Committee on Invalid Pensions.

By Mr. CALDERHEAD: Letter from Cigar Makers' Union No. 345, Kansas City, Kans., protesting against the passage of the Cuban reciprocity bill—to the Committee on Ways and Means.

By Mr. CALDWELL: Petition of citizens of Illiopolis, Ill., protesting against the passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. CASSINGHAM: Papers to accompany H. R. 2051, to increase the pension of Joseph Jackson—to the Committee on Invalid Pensions.

By Mr. ESCH: Resolution of Peter Weber Post, No. 257, Grand Army of the Republic, Fountain City, Wis., favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: Paper from hardware dealers of Versailles, Ind., protesting against passage of parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, paper to accompany bill to increase pension of Curtis C. Bliton—to the Committee on Invalid Pensions.

By Mr. HITT: Petition of members of Maltby Post, No. 520, Grand Army of the Republic, of Stockton, Ill., favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HUFF: Papers to accompany bill granting a pension to Charles D. Fortney—to the Committee on Invalid Pensions.

By Mr. LACEY: Resolution of Local Union No. 767, Carpenters and Joiners, of Ottumwa, Iowa, favoring passage of an eight-hour law and anti-injunction bill—to the Committee on Labor.

By Mr. McCLELLAN: Papers to accompany bill H. R. 4634, granting increase of pension to Randolph T. Stoops—to the Committee on Invalid Pensions.

By Mr. MAYNARD: Papers to accompany bill H. R. 3955, for the relief of Robert H. Holland—to the Committee on War Claims.

Also, papers to accompany bill to increase pension of Thomas Hutchinson—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: Petition of Mary Parker, of Hamilton County, Tenn., praying reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of heir of Rebecca Cummings, deceased, late of Hamilton County, Tenn., praying reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. MURDOCK: Resolution of the Chamber of Commerce of Wichita, Kans., favoring enlargement of the power of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. NEEDHAM: Resolution of the board of trustees of the Chamber of Commerce of San Francisco, relating to securing an appropriation to aid the Lewis and Clarke Centennial and American Pacific Exposition and Oriental Fair, to be held in the city of Portland, Oreg., in 1905—to the Committee on Appropriations.

Also, resolution of the board of trustees of the Chamber of Commerce of San Francisco, relating to American shipping engaged in the foreign carrying trade—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the board of trustees of the Chamber of Commerce of San Francisco, favoring the passage of an appropriation to purchase the Calaveras grove of big trees in California—to the Committee on Appropriations.

By Mr. OVERSTREET: Petition of the Commercial Club of Indianapolis, Ind., favoring legislation preventing unjust discrimination in freight rates—to the Committee on Interstate and Foreign Commerce.

By Mr. PRINCE: Resolution of Local Union No. 893, United Mine Workers of America, Canton, Ill., favoring the passage of an eight-hour law and an anti-injunction bill—to the Committee on Labor.

By Mr. WRIGHT: Resolution of the Grain and Flour Exchange of Pittsburg, Pa., favoring enlargement of power of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

#### SENATE.

MONDAY, November 23, 1903.

Rev. J. J. MUIR, D. D., of the city of Washington, offered the following prayer:

Most gracious and ever-blessed God, for our country we pray, asking for a continuance of peace and prosperity within our borders and increased influence for good among the nations of the earth. Regard our President with Thy favor, protecting his life from violence and giving Thy counsels in all his affairs. Upon these Thy servants let Thy blessing rest in the deliberations of the day, and grant that the consciousness of duty well done may be a constant inspiration and benediction. We beg, in the name of Christ our Lord and Redeemer. Amen.

The Secretary proceeded to read the Journal of the proceedings of Friday last, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

#### GETTYSBURG NATIONAL PARK.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting a report of the Gettysburg National Park Commission calling attention to the omission of a provision for a monument to Battery E, Fourth United States Artillery, at Gettysburg, and inclosing a draft of a bill to supply the omission and provide the necessary appropriation therefor; which, with the accompanying paper, was referred to the Committee on Military Affairs, and ordered to be printed.

#### FINDINGS OF COURT OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of The trustees of the Presbyterian Church of Huttonsville, W. Va., v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Louis Landram, administrator of William J. Landram, deceased, v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

#### PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a petition of the Manufacturers' Association of New York City, praying for the passage of the so-called Lodge bill, providing for a reorganization of the consular service; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Manufacturers' Association of New York City, praying for the enactment of legislation to prevent unjust discrimination in tariff rates; which was referred to the Committee on Finance.

He also presented petitions of the Woman's Christian Temperance Union of Old Orchard, Me.; of the California Club, of San Francisco, Cal.; of the Woman's Christian Temperance Union of Elk Rapids, Mich.; of the congregation of the Methodist Episcopal Church of Rushford, Wis.; of the Lake View Woman's Club, of Chicago, Ill., and of the general synod of the Reformed Church of Raritan, N. J., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PENROSE presented a petition of Post No. 345, Department of Pennsylvania, Grand Army of the Republic, of Waterford, Pa., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. PLATT of New York presented a memorial of the Metal Trades' Association of Syracuse, N. Y., remonstrating against the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a memorial of the Metal Trades' Association of Syracuse, N. Y., remonstrating against the passage of the so-called Hoar anti-injunction bill; which was referred to the Committee on the Judiciary.

He also presented a petition of Local Union No. 357, Brotherhood of Painters, Decorators, and Paperhangers, of Dunkirk, N. Y., and a petition of the Pattern Makers' Association, American Federation of Labor, of Schenectady, N. Y., praying for the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented a petition of Local Union No. 357, Brotherhood of Painters, Decorators, and Paper Hangers, of Dunkirk, N. Y., and a petition of the Pattern Makers' Association, American Federation of Labor, of Schenectady, N. Y., praying for the passage of the so-called Hoar anti-injunction bill; which were referred to the Committee on the Judiciary.

He also presented memorials of Cigar Packers' Local Union No. 229, of Binghamton; of Cigar Makers' Local Union No. 112, of Oneonta; of Cigar Packers' Local Union No. 213, of New York City; of Cigar Packers' Local Union No. 251, of New York City; of Cigar Makers' Local Union No. 119, of Dansville; of Cigar Makers' Local Union No. 132, of Brooklyn, and of Cigar Makers' Local Union No. 9, of Troy, all of the American Federation of Labor, in the State of New York, remonstrating against the ratification of the Cuban reciprocity treaty; which were referred to the Committee on Foreign Relations.

He also presented petitions of the congregation of the Presbyterian Church of Cairo, of the congregation of the First Presbyterian Church of Campbell Hall, of the Woman's Christian Temperance Union of Henrietta, and of sundry citizens of Clinton, all in the State of New York, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. McLAURIN presented a petition of the Twentieth Century Club, of Vicksburg, Miss., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. TALIAFERRO presented petitions of the congregation of the First Christian Church of Jacksonville, of the Woman's Christian Temperance Union of Jacksonville, and of 122 citizens of Eustis, all in the State of Florida, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BARD presented petitions of the Woman's Christian Temperance Union of Easton; of the Epworth League of the Presbyterian Church of Easton; of the congregation of the Methodist Episcopal Church of Redlands; of the board of trustees of Unity Church, of Redlands; of sundry citizens of Los Angeles; of the

Ministerial Union of San Bernardino; of the Contemporary Club, of Redlands; of the Woman's Christian Temperance Union of National City; of the Woman's Christian Temperance Union of Long Beach; of the congregation of the Friends Church of Long Beach; of the congregation of the First Methodist Episcopal Church of Long Beach; of the congregation of the First Presbyterian Church of Long Beach; of the congregation of the First Baptist Church of Long Beach, and of the Woman's Missionary Society of Ontario, all in the State of California, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. McCOMAS presented a petition of the Christian Endeavor Union of Baltimore, Md., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. BURROWS presented a petition of sundry citizens of Pentwater, Mich., praying for an increase of salary of rural letter carriers; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of the congregations of the Christian Church of Henderson, the Methodist Episcopal Church of Henderson, the Methodist Episcopal Church of Berlin, the Presbyterian and Methodist churches of Akron, and of the Woman's Christian Temperance Union of Belle River, all in the State of Michigan, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. CULLOM presented a petition of the Trades Council, American Federation of Labor, of Staunton, Ill., and a petition of Local Union No. 473, United Mine Workers, of Jonesville, Ill., praying for the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented a petition of the Trades Council, American Federation of Labor, of Staunton, Ill., and a petition of Local Union No. 473, United Mine Workers, of Jonesville, Ill., praying for the passage of the so-called Hoar anti-injunction bill; which were referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Patoka, Ill., and a petition of the congregation of the Presbyterian Church of Knoxville, Ill., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BEVERIDGE presented a memorial of Local Union No. 62, Cigar Makers' International Union, of Richmond, Ind., remonstrating against the ratification of the Cuban reciprocity treaty; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Merchants' Association of Lafayette, Ind., praying for the enactment of legislation for the prevention of unjust discrimination in traffic rates between different sections and localities; which was referred to the Committee on Interstate Commerce.

He also presented petitions of the Frances Willard Union of the Woman's Christian Temperance Union, of Indianapolis, Ind., praying for an investigation of the charges against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. ELKINS presented a petition of the board of directors of the Atlanta Freight Bureau, of Atlanta, Ga., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented petitions of the congregation of the Methodist Episcopal Church of Union, of the Woman's Christian Temperance Union of Ripley, of the Woman's Christian Temperance Union of Duo, and of the Woman's Christian Temperance Union of Elkins, all in the State of West Virginia, and of the Woman's Synodical Society of Home Missions of the Presbyterian Church of Harrisburg, Pa., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented petitions of Local Union No. 2077, of Hernshaw; of Gaymont Local Union, No. 985, of Graydon; of Local Union No. 2120, of Black Betsey; of Local Union No. 109, of Wheeling; of Local Union No. 1893, of Mount Clair; of Local Union No. 103, of Wheeling; of Local Union No. 2015, of Plymouth, and of Local Union No. 2473, of Leewood, all of the American Federation of Labor; of C. A. McNeil, of Leewood, and of 60 citizens of Kanawha County, all in the State of West Virginia, praying for the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented petitions of Local Union No. 2077, of Hernshaw; of Gaymont Local Union, No. 985, of Graydon; of Local

Union No. 2120, of Black Betsey; of Local Union No. 109, of Wheeling; of Local Union No. 1893, of Mount Clair; of Local Union No. 103, of Wheeling; of Local Union No. 2015, of Plymouth, and of Local Union No. 2473, of Leewood, all of the American Federation of Labor; of C. A. McNeil, of Leewood, and of 60 citizens of Kanawha County, all in the State of West Virginia, praying for the passage of the so-called Hoar anti-injunction bill; which were referred to the Committee on the Judiciary.

Mr. DOLLIVER presented a petition of Farragut Post, No. 95, Department of Iowa, Grand Army of the Republic, of Gilman, Iowa, praying for the passage of a service-pension bill; which was referred to the Committee on Pensions.

He also presented a memorial of the Davenport Turngemeinde, of Davenport, Iowa, remonstrating against the enactment of legislation to limit the effects of the regulations of commerce between the several States and with foreign countries in certain cases; which was referred to the Committee on Interstate Commerce.

He also presented petitions of the congregation of the Lakeside Presbyterian Church, of Storm Lake; of the Shakespeare Club of Ottumwa, and of the congregations of the United Presbyterian Church, the Congregational Church, and the Church of Christ, of Atlantic, all in the State of Iowa, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. QUAY presented a petition of the Grain and Flour Exchange of Pittsburg, Pa., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the congregation of the Sewickley Presbyterian Church, of West Newton, Pa., praying for the enactment of legislation to regulate the interstate traffic of intoxicating liquors; which was referred to the Committee on Interstate Commerce.

He also presented a petition of Post B, Pennsylvania Division, Travelers' Protective Association, of Philadelphia, Pa., praying that an appropriation be made for deepening the channel of the Delaware River to 35 feet; which was referred to the Committee on Commerce.

He also presented petitions of the congregation of the First Presbyterian Church of Allegheny; of the Woman's Missionary Society of the Second Presbyterian Church of Washington; of the congregations of the Second Lutheran Church of Altoona; the Sewickley Presbyterian Church, of West Newton; the Presbyterian Church of Utica; St. Paul's Lutheran Church, of Vandegrift Heights; the Falls of Schuylkill Presbyterian Church, of Philadelphia; the First Presbyterian Church of Honesdale; the Second Presbyterian Church of Germantown; the Mount Washington Presbyterian Church, of Pittsburg; the Ridley Park Methodist Episcopal Church, of Ridley Park; the Presbyterian Church of Coraopolis; the First Street Methodist Episcopal Church, of New Brighton; the United Presbyterian Church of New Brighton, and of the Zion Lutheran Church, of Newville; of the St. James Christian Endeavor Society, of Gettysburg; of the New Century Club, of Kennett Square; of the Woman's Home Missionary Society of Allegheny; of the Standard Steel Car Company, of Allegheny; of sundry citizens of Allegheny; of the Woman's Missionary Society of the Brighton Road Presbyterian Church, of Allegheny; of the Woman's Home Mission Society of the Shadyside Presbyterian Church, of Pittsburg; of sundry citizens of Pittsburg; of the Home and Foreign Missionary Society of the Second Presbyterian Church of Pittsburg; of the Society of Christian Endeavor of Mount Carmel; of the Church Council of the Lutheran Church of Mount Carmel; of 88 citizens of Knox and Newville; of the Woman's Home Missionary Society of Pittsburg; of the Ministerial Association of Columbia, and of the congregation of the Westminster Presbyterian Church, of Burgettstown, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

#### DELAWARE INDIAN LANDS.

Mr. QUAY. I present a memorial of the Delaware tribe of Indians residing in the Cherokee territory, relative to their rights in and ownership to certain lands situated within the boundaries of that nation, purchased by them pursuant to an agreement made with the Cherokee Nation, dated April 8, 1867, in accordance with the Cherokee treaty of July 19, 1866, and the Delaware treaty of July 4, 1866, etc. I move that the memorial be printed as a document, and referred to the Committee on Indian Affairs.

The motion was agreed to.

#### AFFAIRS IN THE INDIAN TERRITORY.

Mr. QUAY. I present a letter, in the nature of a memorial, which I will read and ask to have referred to the Committee on

Indian Affairs. It seems to be a memorandum by an Indian of proceedings had by him in the Choctaw Nation, and reveals a condition of affairs in the Indian Territory which requires the attention of Congress. He says:

In October, 1894, applied to the Choctaw legislature at Tuskahoma, Ind. T., citizenship for N. L. Candiff, an Indian by blood; M. L. Armstrong, daughter of N. L. Candiff, and three children of M. L. Armstrong. A citizenship committee, after investigating the application, passed on it favorably. The legislature then took the application and the senate passed on it favorably. It did not get to the house in 1894.

A fee of \$100 for each applicant accompanied the application, making an outlay of \$500. In 1895 again applied. Application was taken up by a new citizenship committee, and they passed on it favorably, and the senate and the house passed on the bill favorably. The governor signed the bill and it became a law. This represented an outlay, in traveling expenses, lawyers' fees, hotel expenses, etc., for the years 1894 and 1895, of \$2,100.

After this the Dawes Commission was formed, and I voted on the Atoka agreement.

In 1896 applied to the Dawes Commission for enrollment, although a certified copy of the act of the Indian legislature accompanied the application, together with an enrollment certificate issued by the Choctaw Nation census commissioners. The Dawes Commission rejected the application. Never received any notice of the rejection, and caught it through a newspaper mailed me by a friend. Applied to the United States court in the Territory; got a judgment. This cost me \$700. Based on all this, bought two farms and improved them. This has cost me \$2,500. In 1902 the supplemental treaty came up. I voted on this.

Then comes the citizenship court to retry all court cases, and they declare all court decrees void.

So here I am up against another court, with all the expense of trying to get up witnesses, etc. Many of them knowing anything about the parties are dead. At the time I proved the right only Indian testimony was admissible, and while I had a large amount of white evidence that I could have then produced, the party is dead who was most familiar with the case. I was in a fire three years ago that burned up all the evidence I had and all the names of people familiar with the case. Under present conditions we are up against a snag, and unless Congress looks into the matter, about 4,000 people in the Indian Territory are going to lose all they have got to satisfy the greed of an undeserving crowd. All the facts about my case is of record.

Very respectfully,

W. G. ARMSTRONG.

The PRESIDENT pro tempore. The memorial will be referred to the Committee on Indian Affairs.

#### LOUISIANA PURCHASE EXPOSITION.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the joint resolution (S. R. 16) to provide for the printing of 15,000 copies of the statement of receipts and expenditures of the Louisiana Purchase Exposition from date of incorporation to September 30, 1903, with the accompanying report submitted by the Exposition Company, showing progress made by various departments of the exposition, to report it with an amendment; and I ask for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The amendment of the Committee on Printing was, in line 3, after the word "printed," to insert the words "and bound;" so as to make the joint resolution read:

*Resolved, etc.,* That there be printed and bound 15,000 copies of the statement of receipts and expenditures of the Louisiana Purchase Exposition from date of incorporation to September 30, 1903, with the accompanying report submitted by the Exposition Company, showing progress made by various departments of the exposition, of which 3,500 shall be for the Senate, 6,500 for the House of Representatives, and 5,000 for the National Commission for the Louisiana Purchase Exposition.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading.

Mr. PLATT of Connecticut. I do not know, but it seems to me that it has not been customary to order such printing by joint resolution, which has to pass both Houses, be engrossed, and be sent to the President. I may be entirely mistaken about it, but my impression is that it has been done by concurrent resolution, which does not have to go to the President to receive his signature. I merely make the suggestion. I may be all wrong about it; but if it has not been the practice it appears to me that it is hardly worth while to inaugurate the practice of putting printing resolutions into a form where they will have to be engrossed, signed both by the President of the Senate and the Speaker, and go to the President for his signature. However, I may be entirely mistaken about it.

Mr. COCKRELL. Has it been the rule to pass concurrent resolutions that do not go to the President for his signature?

Mr. PLATT of Connecticut. I had supposed so. I may be mistaken.

The PRESIDENT pro tempore. They have been heretofore in both forms, concurrent resolutions and joint resolutions.

Mr. COCKRELL. I thought this was in the usual form.

The PRESIDENT pro tempore. In the opinion of the Chair, it can be done by a concurrent resolution just as well as by a joint resolution.

Mr. COCKRELL. Let it be amended, then, so as to make it a concurrent resolution.

Mr. PLATT of New York. I move that the joint resolution be made a concurrent resolution.

Mr. TELLER. I should like to know what it is.

The PRESIDENT pro tempore. It is a resolution reported from the Committee on Printing to print certain statements touching the exposition at St. Louis.

Mr. TELLER. Does it go to the House?

The PRESIDENT pro tempore. It goes to the House, necessarily, but it has been reported from the committee as a joint resolution. The question has been raised whether it should not be a concurrent resolution.

Mr. COCKRELL. Instead of a joint resolution. Each course has been pursued.

Mr. TELLER. If it is a concurrent resolution it does not have to be approved by the President?

The PRESIDENT pro tempore. No.

Mr. TELLER. And approval by the President has not been the custom?

Mr. COCKRELL. No.

The PRESIDENT pro tempore. The vote by which the joint resolution was reported to the Senate and ordered to a third reading will be reconsidered, if there be no objection, and it will be amended by making it a concurrent resolution. It has been so amended. Is there objection to the present consideration of the concurrent resolution? The Chair hears none. Without objection, it is agreed to.

#### THE CONGRESSIONAL DIRECTORY.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution reported by Mr. PLATT of New York from the Committee on Printing on the 11th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

*Resolved*, That the Secretary of the Senate be authorized and directed to pay, from the contingent fund of the Senate, for the compiling, editing, and indexing of the Congressional Directory issued for the present session of Congress, the same compensation that is allowed by law for the regular editions.

#### TRADE RELATIONS WITH CUBA.

Mr. CULLOM, from the Committee on Foreign Relations, to whom was referred the bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, 1902, reported it without amendment, and submitted a report thereon.

#### BILLS INTRODUCED.

Mr. PENROSE introduced a bill (S. 1585) for the relief of Sadie Thome; which was read twice by its title, and referred to the Committee on Foreign Relations.

He also introduced a bill (S. 1586) for the relief of J. M. Bloom; which was read twice by its title, and referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 1587) for the relief of John W. Dampman;

A bill (S. 1588) to correct the military record of Henry Straub; and

A bill (S. 1589) to correct the military record of Francis Fox.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1590) granting a pension to Theresa Fox;

A bill (S. 1591) granting an increase of pension to James Hahn;

A bill (S. 1592) granting a pension to Ely L. Jones;

A bill (S. 1593) granting a pension to Anna L. Gifford;

A bill (S. 1594) granting an increase of pension to Samuel J. Ashton;

A bill (S. 1595) granting a pension to W. H. Gregg;

A bill (S. 1596) granting an increase of pension to John H. Davidson;

A bill (S. 1597) granting a pension to Rosa D. Mayhew (with an accompanying paper); and

A bill (S. 1598) granting an increase of pension to Washington I. Cook (with accompanying papers).

Mr. CARMACK introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 1599) for the relief of Lottie Bowman;

A bill (S. 1600) for the relief of Lottie Bowman; and

A bill (S. 1601) for the relief of Lottie Bowman.

Mr. McLAURIN introduced a bill (S. 1602) for the relief of the heirs of Louis Cato, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. TALIAFERRO introduced a bill (S. 1603) to authorize the location of a Branch Home for disabled volunteer soldiers, sailors,

and marines in the State of Florida; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1604) granting an increase of pension to Mary A. Bishop; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BEVERIDGE introduced a bill (S. 1605) granting an increase of pension to William C. Shortridge; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1606) granting an increase of pension to John W. F. Jansen; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FULTON introduced a bill (S. 1607) granting to the State of Oregon certain lands, to be used by it for the purpose of maintaining and operating thereon a fish hatchery; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. GIBSON introduced a bill (S. 1608) granting a pension to William J. Bailey; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BLACKBURN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 1609) for the relief of the estate of Adam Schweitzer (with an accompanying paper);

A bill (S. 1610) for the relief of the trustees of the Baptist Church of Crab Orchard, Ky.; and

A bill (S. 1611) for the relief of the trustees of the Colored Baptist Church of Lebanon, Ky.

Mr. PATTERSON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1612) granting an increase of pension to Albert E. Trester;

A bill (S. 1613) granting an increase of pension to Judson N. Pollard;

A bill (S. 1614) granting an increase of pension to Hanna Welch;

A bill (S. 1615) granting a pension to George J. Reed;

A bill (S. 1616) granting an increase of pension to Michael Donovan;

A bill (S. 1617) granting an increase of pension to Orla E. Adams;

A bill (S. 1618) granting an increase of pension to Thomas Herran;

A bill (S. 1619) granting an increase of pension to James A. Dibble;

A bill (S. 1620) granting an increase of pension to Hie Amter;

A bill (S. 1621) granting an increase of pension to Louis Castinette; and

A bill (S. 1622) granting a pension to Georgiana Schroeder.

Mr. PATTERSON introduced a bill (S. 1623) for the relief of Joshua T. Reynolds; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. SPOONER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1624) granting an increase of pension to Lovell Bullock;

A bill (S. 1625) granting a pension to Anne E. Parks;

A bill (S. 1626) granting an increase of pension to Melvina A. Reed; and

A bill (S. 1627) granting an increase of pension to Alonzo R. Kibbe (with accompanying papers).

Mr. STEWART introduced a bill (S. 1628) to acquire certain ground for a Government reservation; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. BAILEY (by request) introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 1629) for the relief of Calvin T. Hazelwood;

A bill (S. 1630) for the relief of Lafayette D. Settle, administrator of Marcus Settle, deceased;

A bill (S. 1631) for the relief of the heirs of Nash L. Cox, deceased; and

A bill (S. 1632) for the relief of the Catholic Church of Brownsville, Tex.

Mr. BAILEY (by request) introduced a bill (S. 1633) permitting the Kiowa, Chickasha and Fort Smith Railway Company and the Eastern Oklahoma Railway Company to sell and convey their railroads and other property in the Indian Territory to the Atchison, Topeka and Santa Fe Railway Company; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. GALLINGER introduced a bill (S. 1634) for the erection of a statue to the memory of Gen. James Miller at Peterboro, N. H.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Library.

He also introduced a bill (S. 1635) for the extension of M street east of Bladensburg road, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1636) for the opening of R street northeast to Twenty-eighth street, and of Twenty-eighth street northeast from R street to M street; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

Mr. McCREARY introduced a bill (S. 1637) for the relief of the trustees of the Baptist Church of Columbia, Ky.; which was read twice by its title, and referred to the Committee on Claims.

Mr. McCOMAS introduced a bill (S. 1638) to increase the limit of cost of public building at Hagerstown, Md.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1639) to increase the limit of cost of public building at Westminster, Md.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1640) providing for the adjustment and payment of accounts of laborers and mechanics arising under the eight-hour law; which was read twice by its title, and referred to the Committee on Education and Labor.

He also introduced a bill (S. 1641) granting a pension to Elizabeth Hagerman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1642) granting an increase of pension to Blanche L. Chunn; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 1643) to reimburse and indemnify the town of Frederick, in the State of Maryland;

A bill (S. 1644) for the relief of Gotlieb Feldmeyer; and

A bill (S. 1645) for the relief of the heirs of Henry Douglas, deceased.

Mr. FAIRBANKS introduced a bill (S. 1646) for the relief of Mary A. Coulson, executrix of Sewell Coulson, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1647) to remove the charge of desertion from the record of F. W. Zickendrath; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1648) to permit national banking associations to deposit bonds issued for the construction of an interoceanic canal to secure circulation, and so forth; which was read twice by its title, and referred to the Committee on Finance.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1649) granting an increase of pension to Richard A. Wood;

A bill (S. 1650) granting an increase of pension to James M. Roszell;

A bill (S. 1651) granting a pension to Sylvester C. Peters; and

A bill (S. 1652) granting an increase of pension to Minerva A. McMillan (with accompanying papers).

Mr. DEPEW introduced a bill (S. 1653) to revise and codify the criminal and penal laws of the United States; which was read twice by its title, and referred to the Committee on the Revision of the Laws of the United States.

He also introduced a bill (S. 1654) for the relief of Theodore F. Northrop; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FORAKER introduced a bill (S. 1655) to create a new Federal district in Ohio, to be called the central district; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

He also introduced a bill (S. 1656) to provide for the purchase of land for a military post at or near Columbus, Ohio; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. MILLARD introduced a bill (S. 1657) granting an increase of pension to Eli Burton; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1658) granting an increase of pension to J. Francis Hopper; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1659) granting permission to Capt. William E. Horton, United States Army, to accept a decoration tendered him by the President of the French Republic; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. KEARNS introduced a bill (S. 1660) granting an increase of pension to John C. Wilkinson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1661) granting an increase of pension to Mary E. Riley; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SCOTT introduced a bill (S. 1662) for the relief of Richard Riggles; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1663) for the relief of William Mays; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. ELKINS introduced a bill (S. 1664) to amend section 2502 of the Revised Statutes of the United States; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1665) to amend the act approved March 15, 1878, entitled "An act for the relief of William A. Hammond, late Surgeon-General of the Army;" which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1666) granting a pension to William H. Winans; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1667) granting a pension to Stal-naker Marteney; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 1668) for the relief of Elk Branch Presbyterian Church, of Jefferson County, W. Va.;

A bill (S. 1669) for the relief of the trustees of the Methodist Protestant Church of Middleway, W. Va.;

A bill (S. 1670) for the relief of the trustees of the Methodist Episcopal Church of Summit Point, W. Va.;

A bill (S. 1671) for the relief of the estate of Samuel Ridenour, deceased;

A bill (S. 1672) for the relief of the trustees of St. John's Protestant Episcopal Church, of Harpers Ferry, W. Va.;

A bill (S. 1673) for the relief of the trustees of St. John's Catholic Church, of Summerville, W. Va.;

A bill (S. 1674) for the relief of the trustees of the Methodist Episcopal Church of Mill Creek, W. Va.;

A bill (S. 1675) for the relief of Elizabeth Muhleman, widow, and the heirs at law of Samuel A. Muhleman, deceased;

A bill (S. 1676) for the relief of Alexander P. Hart, heir of Joseph Hart, deceased; and

A bill (S. 1677) for the relief of the trustees of the Methodist Episcopal Church of Charlestown, W. Va.

Mr. PLATT of Connecticut (for Mr. HAWLEY) introduced a bill (S. 1678) granting an increase of pension to Rudolph Reinhart; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLATT of Connecticut introduced a bill (S. 1679) granting an increase of pension to Gottlieb Spitzer; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1680) for the relief of Noah Dillard; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1681) to provide for the modification of the project for the improvement of Bridgeport Harbor, Bridgeport, Conn.; which was read twice by its title, and referred to the Committee on Commerce.

Mr. DOLLIVER introduced a bill (S. 1682) removing the charge of desertion from the military record of John H. Jaques, member Company K, Seventh Regiment Iowa Infantry Volunteers; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. FOSTER of Washington introduced a bill (S. 1683) to remove the charge of desertion against Ernst Bauman; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. LODGE introduced a bill (S. 1684) granting a pension to Solomon B. Holman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1685) raising the rank of Surg. John W. Baker, on the retired list of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. BURROWS introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 1686) granting an increase of pension to Albert E. Lackey;

A bill (S. 1687) granting an increase of pension to Harvey R. Backus;

A bill (S. 1688) granting an increase of pension to Frederick Bellman;

A bill (S. 1689) granting an increase of pension to Henry H. Houghton; and

A bill (S. 1690) granting an increase of pension to James K. Brooks.

Mr. QUARLES introduced a bill (S. 1691) granting a pension to Minnie Buetemeister; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1692) granting a pension to Alfred C. Isachsen; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. QUAY introduced a bill (S. 1693) to enable the people of Oklahoma to form a constitution and State government and be admitted into the Union on an equal footing with the original States; which was read twice by its title, and referred to the Committee on Territories.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1694) granting an increase of pension to Jonathan Snively (with an accompanying paper);

A bill (S. 1695) granting a pension to Robert Stewart; and

A bill (S. 1696) granting a pension to Christina Wisener.

Mr. TELLER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 1697) for the relief of John H. Alphin;

A bill (S. 1698) for the relief of Daniel E. Kimball and John H. Alphin; and

A bill (S. 1699) for the relief of Daniel E. Kimball.

#### RIVER AND HARBOR IMPROVEMENT IN WEST VIRGINIA.

Mr. ELKINS submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

*Resolved by the Senate (the House of Representatives concurring).* That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made and estimates to be submitted of the cost of dredging and otherwise improving the channel of Deckers Creek, and the confluence of said creek with the Monongahela River, with the view of restoring the harbor destroyed by flood formerly used for the accommodation of traffic at Morgantown, W. Va.

#### HEARINGS BEFORE COMMITTEE ON MILITARY AFFAIRS.

Mr. PROCTOR submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved.* That the Committee on Military Affairs be, and the same is hereby, authorized to employ during the Fifty-eighth Congress a stenographer, from time to time as may be necessary, to report such hearings as may be had by the committee or its subcommittees in connection with any matter which may be before the committee, and to have the same printed for its use; that it may sit during the sessions of the Senate or during the periods of its adjournment; that it may summon such witnesses as may be necessary to appear before the committee, and that any expense in connection with the foregoing, or expenses that may already have been incurred for these purposes during the Fifty-eighth Congress, shall be paid out of the contingent fund of the Senate.

#### CHAPLAIN TO THE SENATE.

Mr. ALLISON submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved.* That the Rev. F. J. Prettyman be appointed chaplain for the present session of the Senate.

#### STATUTES OF CHARLES CARROLL AND JOHN HANSON.

Mr. MCCOMAS submitted the following concurrent resolution; which was referred to the Committee on Printing:

*Resolved by the Senate (the House of Representatives concurring).* That there be printed and bound of the proceedings in Congress upon the acceptance of the statutes of Charles Carroll of Carrollton, and John Hanson, presented by the State of Maryland, 16,500 copies, of which 5,000 shall be for the use of the Senate and 10,000 for the use of the House of Representatives, and the remaining 1,500 copies shall be for the use and distribution of the Senators and Representatives in Congress from the State of Maryland.

The Joint Committee on Printing is hereby authorized to have the copy prepared for the Public Printer, who shall procure suitable copper-process plates to be bound with these memorials.

#### POST-OFFICE DEPARTMENT INVESTIGATION.

Mr. CARMACK. I submit a resolution, which I ask to have read.

The resolution was read, as follows:

*Resolved.* That the Committee on Organization, Conduct, and Expenditures of the Executive Departments of the Senate be, and it is hereby, instructed to make inquiry into the conduct and expenditures of the Post-Office Department, and especially with respect to any charges of corruption, extravagance, and violations of law in the administration of the affairs of the said Department.

Said committee is authorized to send for persons and papers, to administer oaths, to compel the attendance and take the testimony of witnesses, and to examine all books, papers, and documents that may be needed for the purpose of such inquiry.

The Postmaster-General shall detail from time to time such officers and employees as may be requested by said committee in its investigations.

Upon the completion of said inquiry, and on or before the 1st day of May, 1904, the committee shall make report to Congress, which report shall embrace the testimony taken in the course of the investigation, the conclusions reached by said committee on the matters examined, and any report said committee may see proper to make, by bill or otherwise, with a view to cor-

recting any abuses, defects, or illegalities that may be found to exist in the administration of the affairs of said Department.

Mr. CARMACK. I ask that the resolution may go over until to-morrow.

The PRESIDENT pro tempore. It will go over.

#### REPUBLIC OF CUBA.

Mr. HALE. Mr. President, I move to reconsider the vote of the Senate by which the joint resolution (S. R. 15) inviting Cuba to become a State of the American Union was referred to the Committee on Relations with Cuba.

The PRESIDENT pro tempore. The Senator from Maine moves that the vote by which the joint resolution to which he calls the attention of the Senate was referred to the Committee on Relations with Cuba be reconsidered.

Mr. HALE. I ask that the joint resolution may be read.

The Secretary read the joint resolution introduced by Mr. NEWLANDS on the 20th instant, as follows:

A joint resolution (S. R. 15) inviting Cuba to become a State of the American Union.

Whereas the Republic of Cuba is desirous of securing commercial union with the United States; and

Whereas the best commercial union can be secured by and through political union by means of the admission of the Republic of Cuba as a sovereign State in the Union: Now, therefore, be it

*Resolved, etc.* That the Republic of Cuba be, and is hereby, invited to become a State of the United States, upon terms of equality with all other States of the Union, and, leading in that direction, the following suggestions are made:

First. That the island of Porto Rico become a county or province of Cuba and a part of the State of Cuba.

Second. That the President and Vice-President of the Republic of Cuba be the governor and lieutenant-governor, respectively, of the State of Cuba until their terms of office expire, and that all other executive, legislative, and judicial officers now holding office in the Republic of Cuba continue to hold similar positions in the State of Cuba until their present terms expire, with the exception of the customs and postal officials, who shall be incorporated into the customs and postal service of the United States, and the Rural Guard, the officers and subordinates of which shall be incorporated into the Army of the United States.

Third. That the bonds about to be issued by the Republic of Cuba for the payment of its army during the war with Spain, aggregating \$35,000,000, with interest at 5 per cent, be issued as the bonds of the State of Cuba, and that the interest agreed to be paid thereon be reduced from 5 to 3 per cent, the difference to be applied to the sinking fund, and that as so changed their payment be guaranteed by the United States.

Fourth. That the balance in the treasury of the Republic of Cuba be turned over to the State of Cuba, and the balance in the treasury of Porto Rico be turned over to the county or provincial authorities of that island.

That the foregoing resolutions are inspired not by a desire to annex forcibly or to assert sovereignty over the island of Cuba, or to exercise any form of compulsion, but solely by a regard for the mutual interests of the two countries and a conviction that the interests of the States composing the Federal Union and Cuba are identical, and that they can be best secured by a union under one form of government in which all shall be represented on equal terms and be governed by equal and indiscriminating laws, insuring freedom of trade and equality of right and privilege.

Mr. HALE. Mr. President, I shall take only a little time of the Senate, but I desire to submit a few observations upon this resolution.

The experiment of self-government upon this continent in the countries lying south of us has not always had the happiest results and has been none too successful; but wherever it has been attempted it has been the policy of the United States to encourage such self-government, to support it, and wherever it has been practicable to lend it a helping hand. That experiment has been now going on for three years or more upon the island of Cuba. At the end of the war the island lay at our mercy. By military conquest we had possessed ourselves of it. Had we determined to hold it under any form of colonial vassalage, no power in the world would have sought to interpose.

But, Mr. President, the war had been entered upon under the limitation which in its declaration, at the instance of the Senator from Colorado [Mr. TELLER], had affirmed in the most solemn terms that it was not to be waged for conquest, and that so far as Cuba was concerned the war did not and should not involve the seizure of that island as a part of the United States. I do not quote the language of the Teller amendment, but that was its purport. The purpose of the war as indicated by its declaration and the proposition of the Senator from Colorado was clear and has been faithfully adhered to.

The island was in many respects a desolate waste at the end of the war. It had been harried from one side to the other by insurrection, by transitory as well as regular military forces, and conflicts hardly amounting to battles, but involving all the wasteful results of actual war, had devastated and brought ruin to a considerable part of Cuba.

These conflicts had left their mark and hand upon the island, and it was no light task that the patriotic men in Cuba undertook when they set up a free government and established and sent to the breeze the flag of a new Republic. I am glad to say that they did it, so far as we are concerned, without let or hindrance on our part. Practically every soldier was withdrawn, every insignia of military possession disappeared, and we bade the Cubans God-speed in their experiment of setting up an independent Republic, a free nation, self-governing, for themselves.

I have been impressed, Mr. President, thus far with the success of this movement. I have been agreeably disappointed in the evidence of that patience and self-control and sound sense and good management that have been brought out by the Cuban people bringing in this new sister in the family of republics. No man who has visited Cuba can have failed to see there improvement in conditions that are not only gratifying, but remarkable in their extent. Peace has been restored and maintained, the soldiery has departed, all branches of a civil government are in active, peaceful, useful operation, and the sojourner in the island to-day, whatever may have been his skepticism heretofore about the capacity of its people for self-government, is gratified by evidences on every hand of what is being done and well done.

If there was but one thing that the Cuban Government has done in which it differs from many such experiments and which entitles it to our sympathy and support, that one thing is found in the frugality with which it has administered government, the thoroughness with which it has enforced its revenue collections, and, over and above all, when those collections have been enforced and put into the treasury, that they have been kept there as a sacred fund upon which to found the credit hereafter of the new Republic. We do not see this every day in the governments among races and peoples that are akin to the Cuban people. There has been no confiscation of the public funds; there has been no loot, no plunder, but all the surplus has as faithfully been kept in the treasury of Cuba as the United States of America keeps its surplus in its own Treasury. No military adventurer, no official, no president, no general has been allowed to confiscate these funds, and they stand to-day as a pledge to the world for the future, and the Cuban Government ought to have the benefit of this great accomplishment in the eyes of all the world.

But, Mr. President, the work in Cuba is not all done. We can help it or we can harm it. I see by the morning papers that the introduction and reference of the Newlands resolution has caused great ferment and anxiety there, and it is not to be wondered at. There is not a discontented, malcontent spirit in the island of Cuba that wants a change and wants something different from the present that is not in favor of the resolution. The old Spanish element, not wholly but considerably, is in favor of anything but the present Cuban Government. The speculator in New York who wants to lower the credit of the new Republic and weaken its standing in the financial world so that it must negotiate bonds at a disastrous rate of discount in order that hereafter on an annexation scheme the United States shall assume the bonds at par, and the Texas bonds performance of a half century ago repeated, not to our credit—all of these, Mr. President, are behind this resolution.

I do not say that the Senator from Nevada has any connection with any of these subjects; he presumably has not. Some of us know him and appreciate his honorable record. But whether he knows it or not all of these influences that are hostile to Cuba and to the present Government of Cuba are commendatory of his resolution.

Moreover, Mr. President, there is something, I may say, shabby in annoying and embarrassing a new and struggling republic. The Senator will say that this is only an invitation to Cuba to become a member of this great Republic, with provisions in detail to cover the whole subject. But, Mr. President, we do not send out invitations to join this country to great and powerful peoples. This great Republic that has become—

Mr. ELKINS. Will the Senator allow me?

Mr. HALE. I hope the Senator will not interrupt me.

This Republic, that has become a great power in the world, ought to be doing something besides interfering with new and emergent and struggling republics. Take the case of Canada. I have little doubt that men here now listening to me will see the time when Canada will become a part—an integral part—of the United States. If his plan is carried out by the most adventurous of British politicians of colonial preference, a tariff war will be inaugurated between Great Britain and the United States, and this English politician will seek to set Canada up as a great rival to us, an agricultural rival. Out of that, Mr. President, will arise conditions, discussions, and considerations that will end in the union of the two peoples. But we do not invite Great Britain to send Canada to us and join the Union. She is too large a power.

Take Mexico. Plenty of people think that the whole or a part of Mexico ought to be a part of the United States, especially the northern States of that Republic. But we do not invite Mexico. What do Senators think would be the reply of that great chieftain whose power over his people is as absolute as ever was that of Peter or Frederick or the great English Protector, if we should invite Mexico to join this Republic? It would be the same reply that would come from the foreign office in Great Britain, in stern tones, too, "Mind your own business."

Therefore I object, with all these influences barking at the heels

of the new Republic, to Congress in any way committing itself to any proposition that shall interfere with the honest, patriotic men who are engaged in conducting a good government in Cuba. I have no fear that the committee will report this resolution or that the Senate will pass it, but its introduction and reference have already put a clog and a hindrance in the wheels that were going forward in Cuba, and for one I do not feel like letting it go without entering my protest.

Mr. NEWLANDS. Mr. President, I am very glad to hear the distinguished Senator from Maine [Mr. HALE] on this subject. The purpose of the introduction of this joint resolution was to invite debate, consideration, and deliberation, and I feel gratified that the resolution has met with so early a response in this direction.

I agree with the Senator from Maine in much that he has said. I commend with him the good sense and the good judgment of the people constituting the Government of Cuba, but I contend that the good sense and the good judgment of this country will be demonstrated by presenting this invitation and that the good sense and good judgment of Cuba will be proved by accepting it.

Now, what is the joint resolution to which the Senator takes exception? This resolution presents no suggestion whatever of force or compulsion. It recognizes that the Republic of Cuba is a sovereign nation among the nations of the world. It recognizes the fact that that Republic itself feels that it can not stand alone; that it has accepted already the protection of this country; that it has surrendered to the more powerful sovereign to the west control over a portion of its territory as naval stations and military posts; that it has limited its power to contract, so far as debts are concerned, where such power is likely to be exercised in such a way as to risk the independence of the Republic. It recognizes our control over the sanitary conditions of that island as a matter of protection to our own country. Cuba stands, as is often said in debate in both Houses, in the position of a ward to a guardian.

I will not say anything now as to the history of this peculiar position of protection on one side and of dependence on the other. I will assume, without argument, that it was wise—wise upon the part of the United States to offer it and wise upon the part of Cuba to accept it—and yet the United States does, by the voluntary act of both the United States and Cuba, stand in the position of guardian to Cuba.

What, then, does Cuba ask of us? She asks of us another exceptional relation. She admits that from the economic point of view she is unable to stand alone; that the economic conditions of the world are against her; that though she is to-day the cheapest producer of sugar in the world, the markets of the world are barred against her by protective tariffs in some countries and by the bounty system in others. When she sought to restore the industries that had been destroyed by the war, she found that the production of 1,000,000 tons of sugar, which she had been accustomed to supply to the world, had been taken up by Germany, by France, and by Austria under the bounty system, and by Hawaii, Louisiana, and western beet sugar under the protective system, and that they had possession of her markets and that the sugar which she sought to produce and sell was a drug upon the market, sagging that market down and lowering the international price of sugar; and she looked to America, surrounded by a tariff wall, producing with the aid of Hawaii, Louisiana, and the fertile farms of the West only about one-third of her consumption, calling upon the world at large for 1,600,000 tons of sugar annually, and imposing upon that product a customs duty of \$35 a ton, nearly the international price that sugar was then bringing in the markets of the world.

She looked out eagerly for this market to which she had been accustomed before her prostration came. If she could import her sugar duty free it meant that she would receive annually for 1,000,000 tons of sugar \$75,000,000 instead of \$40,000,000. It meant that this advantage would increase as her production increased and that wealth and prosperity would come to her beyond the power of man to describe. She first asked free trade, then moderated her request to a reduction of 50 per cent in the duty, and then finally acquiesced in a reduction of 20 per cent. What would free trade have meant to her? One million tons of sugar, bringing only \$40 a ton in the markets of the world, would yield her \$75,000,000 in our market, where the domestic price of sugar is of course the international price plus the duty. What does the reduction she finally acquiesced in mean? A reduction of 20 per cent—\$7 a ton, \$7,000,000 annually.

Why does she ask this preferential arrangement? She asks it because she is the ward of the Republic; she asks it because she is dependent upon the great Republic; she asks it because of the sympathy, the aid, and the succor that the great Republic gave her in her war for freedom. She is not to be blamed or criticised for asking it. It is entirely natural that she should appeal to her best friend for sympathetic action.

And yet it is doubtful whether relief ought to be granted in this particular way, involving as it does terms of preference, the

admission of the products of a foreign country within our tariff wall upon terms more favored than those accorded to other countries. Cuba asks us to tear down our fiscal system, which, whether the protective wall be high or low, should be controlled by two considerations—one, free trade inside the Republic, the other impartial trade outside of the Republic; the one securing amity and friendship on our own soil, no preferences, no discriminations between individuals and industries; the other securing amity and friendship with the nations of the world.

When Cuba asks this favor have we not the right to negotiate with her? Is it not entirely proper and just for us to say, "We object to discriminations, we object to preferences, we object to tying up our tariff by contractual arrangements with individual nations of the world, thus losing control of it ourselves. But we realize your position, we realize your economic distress, we know that you are dependent for your prosperity upon the markets of this country. We are your friends. You ask for commercial union. We tender you political union. You ask for a less limited trade. We offer you unrestricted trade." Is that taking advantage of Cuba? Is it not the generous act of a great country which says to this dependent country, "We relieve you of your condition of dependence and hardship; we welcome you to become one of us—a sovereign State in the great Union of States, bound together for the general welfare and common defense?"

Let us see whether this proposition does any injustice to Cuba, for I am certain that I offered this joint resolution with no spirit of spoliation. The Senator from Maine has said that every adventurer and every speculator and every Spanish don is behind the effort. If that be so, I know nothing of it. I have conferred with no speculators or adventurers or Spanish dons. This resolution presents my individual view with regard to a matter affecting the principles of our Government and the wise policy which it should pursue in its relations with Cuba, and is inspired by the greatest friendliness to Cuba.

In the first place the joint resolution is entitled, "Joint resolution inviting Cuba to become a State of the American Union." That does not smack of compulsion. An invitation is not force. Then come the recitals and the first part of the resolution, as follows:

Whereas the Republic of Cuba is desirous of securing commercial union with the United States; and

Whereas the best commercial union can be secured by and through political union by means of the admission of the Republic of Cuba as a sovereign State in the Union: Now, therefore, be it

*Resolved, etc.*, That the Republic of Cuba be, and is hereby, invited to become a State of the United States, upon terms of equality with all other States of the Union, and, leading in that direction, the following suggestions are made:

First. That the island of Porto Rico become a county or province of Cuba and a part of the State of Cuba.

Why this inclusion of Porto Rico? Simply for this reason: That as the result of or contemporaneously with the Spanish war we came into numerous new possessions—Hawaii, the Philippine Islands, Cuba, and Porto Rico, all of them now occupying varying relations of dependence to this country. We had asserted in the Declaration of Independence the equality of man, the inseparableness of taxation and representation, the doctrine of the consent of the governed, but at that juncture we were met by the question as to whether we could safely apply these doctrines to all these countries which bear to us to-day varying relations of dependence. We did apply them to Cuba by withdrawing our forces and surrendering the government to her own people. We did apply them to Hawaii by organizing a Territorial government, with a Delegate in Congress—the traditional mode of organizing an infant State—but we declined to apply them to Porto Rico and the Philippines. The Philippine Islands became colonial possessions and Porto Rico became not a Territory or an infant State, but became a dependency without representation in our Government and subject to its absolute will. Porto Rico, which lies to the east of Cuba and has like commercial conditions, population, and climate, is a small island, only 100 miles long by 30 miles wide—not big enough to become a State.

Obviously, therefore, the only way of asserting the old doctrine of the Declaration of Independence as to Porto Rico is to admit her into the Union as a part of the State of Cuba. Cuba has six provinces, corresponding to our counties. Porto Rico would be a seventh county of the State of Cuba, a member of the American Union, and as such would take part in the election of a President of the United States and in the selection of United States Senators and Congressmen. As to her, there would be no taxation without representation. So far as she is concerned this blot upon our escutcheon would be absolutely removed. It is to be hoped that hereafter we may take such action with reference to the Philippine Islands as to redeem the old doctrine of the Republic in all its integrity.

The second suggestion is:

Second. That the President and Vice-President of the Republic of Cuba be the governor and lieutenant-governor, respectively, of the State of Cuba until their present terms expire and that all other executive, legislative, and

judicial officers now holding office in the Republic of Cuba continue to hold similar positions in the State of Cuba until their present terms expire, with the exception of the customs and postal officials, who shall be incorporated into the customs and postal service of the United States, and the Rural Guard, the officers and subordinates of which shall be incorporated into the Army of the United States.

Under this suggestion the President and Vice-President of the Republic would become the governor and lieutenant-governor of the State of Cuba, the present Congress of Cuba would become the State legislature. Under it the cabinet would become the State officials; under it the judicial officers of the Republic of Cuba would become the judicial officers of the State of Cuba.

The joint resolution provides that those officials connected with the customs and post-offices shall be incorporated into the customs and postal service of the United States, and that the Rural Guard, their only army, small in dimensions, but officered and controlled, I believe, by able and patriotic men, will become a part of the Army of the United States.

Now, this is simply a suggestion to the Republic of Cuba. Why? Because in the consolidation of two Republics, just as in the consolidation of anything else, there are more or less points of friction, and the purpose is to make the transition as easy as possible. Under this resolution no man will be deprived of his office, his position in the service of that country, or of his position in the army. It simply provides a gradual change from the service of the Republic of Cuba to the service of the State of Cuba.

Now, what is the next suggestion?

Third. That the bonds about to be issued by the Republic of Cuba for the payment of its army during the war with Spain, aggregating \$35,000,000, with interest at 5 per cent, be issued as the bonds of the State of Cuba, and that the interest agreed to be paid thereon be reduced from 5 to 3 per cent, the difference to be applied to the sinking fund, and that as so changed their payment be guaranteed by the United States.

I may be asked of what benefit is that? For a long time Cuba has been endeavoring to negotiate these bonds in the markets of the world for the purpose of paying her patriotic army, a thing which ought to have been accomplished long before this. Certainly the pay of that army ought to be a tax upon the wealth of the entire island until satisfied. Cuba has thus far been unable to negotiate these bonds, though they are offered at a discount of 10 per cent—at 90 cents on the dollar. What saving will this effect to the State of Cuba as opposed to the Republic of Cuba? The guaranty of the United States will enable those bonds to be negotiated at par. At the very outset she will save three million and a half dollars upon the bonds. The reduction in the rate of interest from 5 per cent to 3 per cent will save her 2 per cent—\$700,000 annually; so that in fifty years she will save in the payment of interest alone, \$35,000,000, which amounts to the principal of the bonds. She will thus save nearly \$40,000,000 on this transaction alone by becoming a State in the Federal Union, and she will save \$35,000,000 annually or \$350,000,000 within the next ten years by the enhanced price she will receive for her sugar.

The next resolution provides that the funds in the treasury of the Republic of Cuba shall be turned over to the State of Cuba. There are about three or four million dollars in the treasury of Cuba. It would go a great way toward State development—toward the construction of roads and internal improvements. The same provision is made regarding Porto Rico. The funds in the treasury there are to be turned over to the county or provincial authorities of that island, and thus a considerable sum will be provided for internal improvements.

Then comes the last portion of the joint resolution, which declares:

That the foregoing resolutions are inspired not by a desire to annex forcibly or to assert sovereignty over the island of Cuba, or to exercise any form of compulsion, but solely by a regard for the mutual interests of the two countries and a conviction that the interests of the States composing the Federal Union and Cuba are identical, and that they can be best secured by a union under one form of government in which all shall be represented on equal terms and be governed by equal and indiscriminating laws, insuring freedom of trade and equality of right and privilege.

We have, then, Cuba in this dependent position, seeking a still more intimate relation with the Republic of the United States, seeking commercial union, and we respond by offering her political union, which involves absolute freedom of commerce.

Now, gentlemen say that this invitation should not be extended by this country; that we would not extend it to a great country; that we extend it to the Republic of Cuba only because it is a little country; that we would not to-day extend an invitation to Canada to become a State of the Republic. Obviously not, because that would be an act of hostility against Great Britain herself. We are now dealing with an independent sovereignty which asks preferences in trade and a commercial union with us, and we, animated by friendliness, kindness, and generosity of spirit, respond: "Come into the American Union and enjoy with us the unparalleled blessings of liberty, equality, and prosperity."

Mr. CARMACK. Will the Senator from Nevada permit me for a moment?

The PRESIDING OFFICER (Mr. PERKINS in the chair). Does the Senator from Nevada yield to the Senator from Tennessee?

Mr. NEWLANDS. Certainly.

Mr. CARMACK. I suggest to the Senator from Nevada that shortly after the war there was considerable correspondence between this country and Great Britain with reference to the acquisition of Canada.

Mr. NEWLANDS. That may be. I am not informed as to that.

So with reference to the Republic of Mexico. The Republic of Mexico is not seeking more intimate relations with us. I am not aware that she is asking for commercial union with us. If she were, it would be entirely proper for us to respond by extending to her an invitation to come into the Union. But here is Cuba making the offer of commercial union and we offer the larger benefit of political union, which involves the blessings of a free government and at the same time greater commercial advantages than she could secure through any reciprocity arrangement.

Why, then, should we make this offer? Why should we extend this invitation? Why does not Cuba ask for it? Simply because, though it is a desirable thing, simply because, though the people of both countries may be in favor of it, we will find that Cuba will be reluctant to take the initiative, because she will be suspicious and fearful of our action. She has seen us, under temptation, absolutely abandon the doctrines of the fathers—those doctrines which have been the inspiration of every Fourth of July orator for the last hundred years. She has seen us repudiate the doctrine of the inseparability of taxation and representation. She has seen us repudiate the doctrine of the consent of the governed. She has seen us seize islands in a war inspired absolutely by benevolence, and has seen us yield to the temptation of greed and hold those islands against the will of their people. She will fear, if she makes the least advance toward the union of the two countries, that then we will endeavor to annex her, not as a State of the Union, but as a dependency, such as the Philippines are and such as Porto Rico is.

No public man could rise in the Congress of the Republic of Cuba to-day and make the suggestion of annexation to the United States, for he would be met by this argument which I have presented—an argument which furnishes every kind of fuel that eloquence needs. The people would be suspicious, and, in view of our action regarding Porto Rico and the Philippines, they have a right to be suspicious. We must, by unequivocally taking our position, tell Cuba that we do not ask annexation, but that we invite her to sisterhood; that we do not seek to exercise sovereignty over her, but that she shall become one of the sovereign States of the Union, bound together for the common welfare and defense.

Now, I am aware that the joint resolution will be criticised; that it will be opposed by many both in Cuba and in this country; but I believe the argument for political union can not be refuted, and I believe it will eventually prevail. I can not believe that the United States is indifferent to this question. There has not been a time in the history of the Republic when the annexation of Cuba would not have been welcomed. Throughout the history of the Republic we would have sought Cuba just as eagerly as the valley of the Mississippi or Florida. It is separated apparently from Florida by a convulsion of nature, by only a few miles of water. The island is one of incomparable salubrity of climate and richness of soil. To-day it has a population of 1,500,000. It is capable of supporting 15,000,000 people. Its commercial advantages, its agricultural advantages are undoubted. It lies in front of the great Gulf, of our way to the Mississippi, of our way to the future canal at Panama.

Having that island as a part of the United States, destined at some time to be inhabited by 400,000,000 people, we can imagine its value to those 400,000,000 people merely as a sanitarium and health resort. It has such advantages of climate and scenery that one day it will rival the Riviera of the Mediterranean. With California on the Pacific Ocean and Cuba upon the Atlantic, with 400,000,000 people between, the advantages of that island from the standpoint of health alone, dismissing all considerations of commerce and business, must be obvious.

Mr. President, I fear I have already taken up too much time in response to the Senator from Maine [Mr. HALE]. I believe in the joint resolution. We are told by the Associated Press that while it was seriously considered by some people in Cuba it was regarded by others with amusement, and that it was regarded in the island of Porto Rico with derision. But amusement and derision often accompany the urging of great measures and should constitute no discouragement. The people of Cuba have not as yet seen this joint resolution. They have probably received only the condensed report of the Associated Press. The people of Porto Rico have not yet received it. But I base my position upon the strength of the argument, and I believe that that argument will find a lodgment in the minds of patriotic and sensible men, both in the United States and in the islands of Cuba and Porto Rico.

Mr. PLATT of Connecticut. Mr. President, I do not know whether the Senate desires to continue this discussion at the pres-

ent time, but I do not wish to let this subject pass from its consideration without a few observations.

I regretted the introduction of the joint resolution because I thought it was inopportune, and because I thought it would lead in Cuba and Porto Rico to misapprehension as to sentiment in the United States. I do not know but that I regret that this discussion has sprung up now, as it seems to me somewhat prematurely. But, as the question is before the Senate, I desire to say that I do not believe the joint resolution represents in any considerable degree the sentiment and opinion of thoughtful men in the United States. I do not believe it represents the business or the political sentiment of the United States. I do not believe there is, and I hope there never will be, any considerable sentiment in this country looking to the annexation of Cuba as a State in our Union, or to any new development of the policy of expansion of our territory. And it is a little strange that this new theory or sentiment of expansion should come from those who in so recent years have been the loudest in the denunciation of that policy.

Mr. NEWLANDS. Will the Senator from Connecticut permit me for a moment?

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Nevada?

Mr. PLATT of Connecticut. Certainly.

Mr. NEWLANDS. I wish to call the attention of the Senator from Connecticut to the fact that the Democratic party has always been in favor of the expansion of the Republic as opposed to the expansion of the empire, and that this is a legitimate part of the policy of the Republic, which has always embraced the acquisition of contiguous continental territory and of adjacent islands essential to our coast defense.

Mr. PLATT of Connecticut. Well, Mr. President, it is easy, very easy, to be on two sides of the same question at different times. If you do not like the expansion, it is easy to find arguments why it should not be had. If you do like it, it is just as easy to find arguments why it should be had. For one I desire that there shall be no policy of expansion in the United States except when that policy is dictated by imperative national interest or by the necessity of self-defense; that, and that only.

I have no desire that the United States shall embrace within its limits all this Western Hemisphere. I have no desire that Canada or Mexico or any South American republic or Cuba shall ever become an integral part of the United States. Whenever the time shall come that the annexation of any territory becomes essential to our self-preservation and to our highest interests, then I am willing that there should be expansion.

And that leads me to what I rose to say, that I believe the best interests of the United States and the best interests of Cuba will be subserved by having two Republics—the Republic of the United States and the Republic of Cuba. I believe that her interest is better subserved by a separate, independent republican existence than by annexation to the United States in any form. I believe that the interests of the United States will be better subserved by the existence and continuance of the Republic of Cuba as an independent, self-sustaining Republic than by its incorporation into the United States.

I have studied this question somewhat, Mr. President; I have given a good deal of thought to it; I have expressed this sentiment at other times, and reflection only adds to the strength of my conviction that it is for the best interest of the United States and of Cuba as well that Cuba shall remain, continue, flourish, and prosper as an independent Republic.

Any suggestion from this country of the incorporation of Cuba into the United States will be looked upon in Cuba and in the United States as evidence of a greedy, grasping disposition on the part of the United States, and I think justly so. There may be behind it speculators; there may be money kings, and there may be thoughtless citizens, but the real object of it is to acquire power and strength in the expansion of our territory. As such I am opposed to it.

There is another reason why I am opposed to it, and that is this: I want to see the experiment of republican government on the Western Hemisphere, by people other than those of the United States, be successful. I want it to be understood, not only in the United States, but in other parts of the world, that there can be republics worthy of the name, fulfilling in all respects the character of republican government, among the nations to the north and to the south of us. We have not, as yet, had many successful experiments as we regard republican government. We have felt that there were many South American republics which were really republics in name only. We felt that while republican in name, they were really under the domination and control of single individuals, and it has been a matter of happiness and of rejoicing to me that on this island near us, with these people, whose capacity for self-government has been oftentimes questioned, there should be established, so firmly founded, and so well maintained, a republican government which seems to have fulfilled

all the conditions and all the requirements and to hold out all the hopes of genuine republican government. That is true of Cuba to-day.

In the days when there was doubt whether those people could maintain self-government there, in the days when we looked on a great many of our citizens looked askance at the Cuban population and said the time would come when the United States for its own protection would have to take possession of the island, I expressed the opinion, without considering myself a prophet—and I am glad that time has justified me in the expression of that opinion—that Cuba would not only establish a republican form of government, but that she would be able to maintain it and present the spectacle of an independent nation, of whom not only the United States, but all the other nations of the world might be proud. I can scarcely find words to express my admiration for what has been done in Cuba up to the present time. I would, if it were proper, desire to eulogize not only its President, but its leading men, its legislature, and its citizens in what they have shown to be the dearest thought of their lives—the establishment of a good, sound, permanent Republic.

They had some things which, as it seemed to me, would bring about this. They had the pride of nationality and they had the love of liberty. They had more than that. They had the assurance that the United States was their friend. Those three things—love of liberty, pride of nationality, reliance upon the United States—were three strong foundations on which to build the new Republic.

It has been said that Cuba is our ward. If that be so, Mr. President, the more reason why we should not extend this invitation to our ward. If she were our equal in strength, in power, in ability to maintain herself, perhaps she would not misunderstand an invitation of this sort; but if she regards herself as our ward, she would not mistake when she supposed an invitation of this sort meant something more than an invitation.

But, Mr. President, I think our relation with Cuba has been misunderstood. I do not think we are exercising any protectorate over Cuba. I do not think we have even constituted ourselves the guardian of Cuba and made Cuba our ward. I do think that we have done what was best both for the United States and Cuba. We have expressed in every way that we could our desire that there should exist between the United States and Cuba relations of the closest friendship. I remember a phrase—I may not quote it correctly—in one of President McKinley's messages, in which he said, "We are neighbors; we must be close friends."

That is the whole of it, Mr. President. President McKinley expressed epigrammatically, tersely, completely, the real relations which should exist between us and Cuba in those few words. We are neighbors, and we are friends. The friendship of the United States for Cuba, though it grows partially out of geographical and historical considerations, is not a selfish friendship. It is an unselfish friendship, and it will be to the everlasting glory of the United States that for the first time in the history of wars and the history of nations she exercised her power for purposes of friendship and not for purposes of aggrandizement. There is no other such spectacle in all history. We are proud of it. We have a right to be proud of it. Do not let us mar that magnificent record by raising the suspicion anywhere on the face of this broad earth, either by invitation or in any other way, that we intend to appropriate Cuba.

No, Mr. President, with perfect friendship existing between the United States and the Republic of Cuba there is a great future for Cuba and great benefit to the United States as well.

Now, I do not wish to prolong this discussion. I am not going to run into the question of the passage of the bill to put the treaty which we have concluded with Cuba into operation. I am not going into those details. But I did want to say right here that I do not believe this resolution looking to the incorporation of Cuba into our body politic as a State, with Porto Rico dependent as a county or a province, or in any manner whatever, finds in the hearts and minds of the American people any considerable response, and that I therefore regretted its introduction.

Mr. LODGE. Mr. President, I regretted very much the introduction of this resolution, but I do not regret the discussion that has arisen this morning, for I think the resolution has made some such discussion absolutely and immediately necessary.

The question what this resolution means is to us of no consequence. The important thing is the impression that it has made or is likely to make upon the people of Cuba. Here in Congress it is well understood that to read a bill twice and refer it to a committee means very little. It often represents nothing but an individual opinion, and it very frequently does not represent even the opinion of the Senator or Representative who introduces it.

The enormous gap that exists between the introduction of a bill and its enactment into legislation is not well understood even in this country and among our own people. We know that the introduction of a resolution or a bill is not a very serious thing, and that it is very far removed from any affirmative action. But

if our own people do not understand the distinction, how can we expect the people of Cuba to understand it? To them the resolution introduced by the Senator from Nevada appears a very serious matter.

I think it ought to be said that in the opinion of some of us, at least, that resolution does not in the least represent the opinion of the Government or of the people of the United States. Our relations with Cuba, as the map shows, must always be of a peculiar kind. The importance of Cuba to the United States was set forth many years ago by John Quincy Adams and Henry Clay. It has been the policy of all succeeding Administrations to watch carefully over all that concerns Cuba. We have made the world understand that our relations to that island must always be different from our relations to any other territory lying outside of our boundaries.

Mr. President, when in the fullness of time it became necessary to cut the knot of the difficulties that had there arisen, when the flag of Spain went back across the Atlantic, whither, I hope, in the process of the years all European flags will return, the determination of our future relations with Cuba, at last free and independent, became a very immediate and important subject of the policy of the United States. We determined those relations by what is known as the Platt amendment, in my judgment one of the most statesmanlike and far-seeing pieces of legislation ever placed by Congress upon the statute book.

My own desire, and I believe it is a desire shared by the great mass of the American people, was that under these relations the island of Cuba should have a prosperous, successful, and independent government. Our only doubt was, in view of the many troubles and convulsions which have beset the governments of the South American republics, that Cuba might be exposed to similar misfortunes. Cuba since then has taken her fate into her own hands. She has observed toward us the most absolute good faith. She has embodied in her constitution the clauses of the Platt amendment. In further assurance she has embodied those same clauses in a treaty, which is now before the Committee on Foreign Relations. She has given us the naval stations that we desired. She has done all that we have asked her to do. We have, on our part, behaved with the utmost good faith toward her, and we shall, I fully believe, complete all our obligations in that direction.

We have all the control in a military and political point of view that we can possibly desire in regard to that great island, and the burden and the honor of its government nevertheless remain in the hands of her own people. They have conducted their government in a manner which has gone beyond the hopes of their friends and which has disappointed their enemies. To them a resolution of this sort, inviting them to join the Republic of the United States, does not seem a distinguished honor, but a suggestion that they have failed in self-government or are on the eve of failure. I wish to insist in the strongest manner that the reverse is the case, that thus far they have succeeded in a remarkable degree and have not failed at all.

I think, Mr. President, it is our duty to offer to the Cubans every encouragement. They have done well. We want them to continue to prosper and be successful. It seems to me that every reflecting man must hope that the conditions will never arise under which we should be obliged to extend our control of Cuba any further. We are glad to be her protector against the other nations of the world, but we prefer that she should be an independent State, with her own Government carried on by her own people.

No conditions could make it necessary for us to interfere in the affairs of Cuba except conditions of a melancholy kind, such as we should all regret, and we hope that those conditions will never arise. Instead of suggesting to the Cuban people, as this resolution suggests, that they have not done well, it seems to me the feeling of the people of the United States, unless I greatly mistake it, is that they have done exceedingly well, much better than anyone could possibly have anticipated.

Mr. President, we have no desire to annex that island. We much prefer it in the state in which it now is. For one, Mr. President, looking at it solely from our own side and not from theirs, I am opposed to having island States. We all know that if Cuba becomes a part of the United States it must be made a State of the Union, and the wholesome rule against island States would be broken once for all.

Mr. President, there is an island prospering and doing well, with our aid and our approbation. We do not want to agitate and distress her people with resolutions conveying an idea that we are suspicious of her future or doubtful of her present.

And not content with that, Mr. President, this resolution goes on to propose that the island of Porto Rico, which is prosperous and happy under the government that we have given it, shall be annexed violently to the island of Cuba. Porto Rico is ready to be a dependency of the United States, but it is a very different

proposition that we should, with a high hand, make it a dependency of another island. Mr. President, is it necessary to agitate those people in this way?

Mr. NEWLANDS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Nevada?

Mr. LODGE. Certainly.

Mr. NEWLANDS. If the island of Porto Rico were a county of the State of Cuba, would the Senator call it a dependency?

Mr. LODGE. I thought the language was "a county or province." I have it not before me.

Mr. NEWLANDS. I used the term "county or province" because Cuba is divided into six provinces, and they would better understand that term than the word "county;" but the purpose was simply to make Porto Rico a county of a sovereign State, sharing with that State in the selection of United States Senators and Representatives in Congress and in the election of the President of the United States.

Mr. LODGE. Very well, Mr. President; the purpose of the resolution is to take the people of Porto Rico and annex them to the island of Cuba.

Mr. PLATT of Connecticut. Without their consent.

Mr. LODGE. Without apparently any consent on their part.

Now, Mr. President, why disturb the present condition? Why infuse suspicion into the minds of the people of Cuba? The universal opinion, I believe, in the United States is that they have done well. We want them in their own interest and in our interest to go on with their peaceful and successful government. We applaud what they have done. We have no desire to annex them. We have no desire to change the present condition. It is much better, if it can be maintained, than any other arrangement which could be made.

Mr. President, all I desired was, for one, to disclaim any sympathy with any project of that kind.

Mr. NEWLANDS. I wish to ask the Senator from Massachusetts in case the people of the island of Cuba voluntarily and without any suggestion from us should indicate any desire to become a State of the Federal Union, whether he would be inclined to grant their request?

Mr. LODGE. That is an important question, to be considered when it arises. There is not the slightest indication that the people of Cuba want to become a State of the Union. There is not the slightest indication that they are not content where they are; that they are not gratifying their own pride and their own sense of citizenship by remaining where they are. Why should we discuss bringing them into the Union? Why should we arouse their suspicion and hurt their feelings? Why not leave them alone to work out their destiny as they are working it out, with all the kindly aid and assistance we can give them?

Mr. NEWLANDS. Will the Senator permit another question?

Mr. LODGE. Certainly; as many questions as the Senator wants to ask.

Mr. NEWLANDS. I presume the Senator realizes that the markets of the world have been gradually closed against sugar in Cuba and that she markets her entire crop in this country. Now, assuming that England should adopt the retaliatory policy called for by Mr. Chamberlain, and should put a protective duty upon sugar with a view to protecting her own colonies producing sugar, I ask whether the island of Cuba would not be absolutely dependent for the marketing of her own crop upon the United States, and would the Senator regard it as an act of hostility to Cuba to suggest to her an arrangement by which, instead of securing \$40,000,000 annually for her crop, she would secure \$75,000,000?

Mr. LODGE. I am not going to discuss the sugar question. That comes up very properly, no doubt, in connection with the bill to carry the treaty into effect. I did not rise to discuss the sugar question or any part of it. My object was simply to enter my own disclaimer against any idea that we were seeking to annex Cuba or to change the present relations of the countries.

Mr. SPOONER. Mr. President, I desire to submit some observations, at a time that will be convenient to the Senate, against the resolution. This is not a convenient time to the Senate, as I understand the state of public business. The committee on committees is ready to report, as I understand it. I believe the Senate should fill up the committees, and then I think it is the desire of a Senator to speak upon another subject. I therefore ask that the motion to reconsider may lie over.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Wisconsin? The Chair hears none, and the motion to reconsider lies over.

#### COMMITTEES OF THE SENATE.

On motion of Mr. HALE, it was

Ordered, That so much of Rule XXIV of the Senate as provides for appointment of the standing and other committees of the Senate by ballot be suspended.

Mr. HALE. I offer a resolution with a list of committees accompanying it.

The PRESIDENT pro tempore. The Senator from Maine offers a resolution, for which he asks present consideration?

Mr. HALE. Yes.

The PRESIDENT pro tempore. It will be read to the Senate. The Secretary read as follows:

Resolved, That the following, commencing December 1, 1903, shall constitute the standing and select committees of the Senate for the Fifty-eighth Congress:

The PRESIDENT pro tempore. Is there objection to the consideration of the resolution?

Mr. GORMAN. Let the list be read first.

The PRESIDENT pro tempore. It will be read for the information of the Senate.

The Secretary read as follows:

#### STANDING COMMITTEES.

*On Agriculture and Forestry.*—Messrs. Proctor (chairman), Hansbrough, Warren, Foster of Washington, Dolliver, Quarles, Quay, Bate, Money, Simmons, Latimer.

*On Appropriations.*—Messrs. Allison (chairman), Hale, Cullom, Perkins, Warren, Wetmore, Quay, Gallinger, Cockrell, Teller, Berry, Tillman, Daniel. *To Audit and Control the Contingent Expenses of the Senate.*—Messrs. Kean (chairman), Warren, Millard, Money, Patterson.

*On Canadian Relations.*—Messrs. Fulton (chairman), Dryden, Hoar, Hale, Fairbanks, Tillman, Bailey, Clark of Montana, Clarke of Arkansas.

*On the Census.*—Messrs. Quarles (chairman), Hale, Platt of New York, McCumber, McComas, Burton, Long, McEnery, Taliaferro, Blackburn, Bailey.

*On Civil Service and Retrenchment.*—Messrs. Perkins (chairman), Lodge, Elkins, Platt of New York, Millard, Bate, Dubois, McLaurin, Clarke of Arkansas.

*On Claims.*—Messrs. Warren (chairman), Stewart, Kean, Clapp, Burnham, Burton, Allee, Fulton, Smoot, Martin, Taliaferro, McLaurin, Foster of Louisiana, Overman.

*On Coast and Insular Survey.*—Messrs. Ankeny (chairman), Foster of Washington, Hawley, Fairbanks, Allee, Morgan, Berry, Clay, Culberson.

*On Coast Defenses.*—Messrs. Mitchell (chairman), Hawley, Alger, Ball, Ankeny, Heyburn, Culberson, Taliaferro, Clay, Simmons, Foster of Louisiana.

*On Commerce.*—Messrs. Frye (chairman), Elkins, Nelson, Gallinger, Penrose, Hanna, Depew, Perkins, Foster of Washington, Quarles, Alger, Berry, Martin, Clay, Mallory, Foster of Louisiana, Stone.

*On Corporations Organized in the District of Columbia.*—Messrs. Martin (chairman), Latimer, Aldrich, Hopkins, Long.

*On Cuban Relations.*—Messrs. Platt of Connecticut (chairman), Aldrich, Spooner, Burnham, Mitchell, Kittredge, Hopkins, Teller, Money, Taliaferro, Simmons.

*On the District of Columbia.*—Messrs. Gallinger (chairman), Hansbrough, Stewart, Dillingham, Foster of Washington, Foraker, Scott, Gamble, Martin, Mallory, Simmons, Dubois, Gorman.

*On Education and Labor.*—Messrs. McComas (chairman), Penrose, Dolliver, Clapp, Burnham, Daniel, Gibson, Newlands, Stone.

*On Engrossed Bills.*—Messrs. Cockrell (chairman), Hoar, Clapp.

*On Enrolled Bills.*—Messrs. Dryden (chairman), Hopkins, Foster of Louisiana.

*To Examine the Several Branches of the Civil Service.*—Messrs. Clapp (chairman), Hoar, Ball, Smoot, Culberson, Simmons, McCreary.

*On Finance.*—Messrs. Aldrich (chairman), Allison, Platt of Connecticut, Burrows, Platt of New York, Hansbrough, Spooner, Penrose, Daniel, Teller, Money, Bailey, Gorman.

*On Fisheries.*—Messrs. Hopkins (chairman), Proctor, Frye, Perkins, Fulton, Mallory, McEnery, Bailey, Overman.

*On Foreign Relations.*—Messrs. Cullom (chairman), Frye, Lodge, Clark of Wyoming, Foraker, Spooner, Fairbanks, Kean, Morgan, Bacon, Money, Clark of Montana, McCreary.

*On Forest Reservations and the Protection of Game.*—Messrs. Burton (chairman), Depew, Perkins, Kearns, Kittredge, Burnham, Ankeny, Morgan, Tillman, Gibson, Overman.

*On the Geological Survey.*—Messrs. Foster of Washington (chairman), Elkins, Fairbanks, Heyburn, Money, Cockrell, Newlands.

*On Immigration.*—Messrs. Dillingham (chairman), Penrose, Fairbanks, Lodge, Dryden, McComas, McLaurin, Patterson, Latimer, Clarke of Arkansas, McCreary.

*On Indian Affairs.*—Messrs. Stewart (chairman), Platt of Connecticut, McCumber, Bard, Quay, Clapp, Gamble, Clark of Wyoming, Long, Morgan, Dubois, Clark of Montana, Teller, Stone, Overman.

*On Indian Depredations.*—Messrs. Allee (chairman), Beveridge, Dillingham, Kearns, Dietrich, Smoot, Bacon, Martin, Berry, Pettus, McLaurin.

*On Inter-oceanic Canals.*—Messrs. Hanna (chairman), Platt of New York, Mitchell, Millard, Kittredge, Dryden, Hopkins, Morgan, Carmack, Taliaferro, Gorman.

*On Interstate Commerce.*—Messrs. Elkins (chairman), Cullom, Aldrich, Kean, Dolliver, Foraker, Clapp, Millard, Tillman, McLaurin, Carmack, Foster of Louisiana, Newlands.

*On Irrigation.*—Messrs. Bard (chairman), Warren, Stewart, Kearns, Dietrich, Hansbrough, Ankeny, Fulton, Bailey, Patterson, Gibson, Gorman, Newlands.

*On the Judiciary.*—Messrs. Hoar (chairman), Platt of Connecticut, Clark of Wyoming, Fairbanks, Nelson, McComas, Depew, Mitchell, Bacon, Pettus, Culberson, Blackburn, Patterson.

*On the Library.*—Messrs. Wetmore (chairman), Hansbrough, Dryden, Clark of Montana, Gorman.

*On Manufactures.*—Messrs. Heyburn (chairman), Gallinger, Allee, Smoot, Clay, Gibson, Latimer.

*On Military Affairs.*—Messrs. Hawley (chairman), Proctor, Warren, Quarles, Scott, Foraker, Alger, Bate, Cockrell, Pettus, Blackburn.

*On Mines and Mining.*—Messrs. Scott (chairman), Stewart, Hanna, Kearns, Heyburn, Tillman, Clark of Montana, Clarke of Arkansas, Newlands.

*On the Mississippi River and its Tributaries.*—Messrs. Nelson (chairman), Dolliver, Millard, Hopkins, Bate, McEnery, McLaurin.

*On Naval Affairs.*—Messrs. Hale (chairman), Perkins, Platt of New York, Hanna, Penrose, Gallinger, Burrows, Tillman, Martin, McEnery, Blackburn.

*On Organization, Conduct, and Expenditures of the Executive Departments.*—Messrs. Quay (chairman), Wetmore, Beveridge, Allison, Allee, McLaurin, Blackburn, Carmack, Stone.

*On Pacific Islands and Porto Rico.*—Messrs. Foraker (chairman), Depew, Wetmore, Foster of Washington, Mitchell, Kearns, Burton, Cockrell, Mallory, Blackburn, Clark of Montana.

*On Pacific Railroads.*—Messrs. Dolliver (chairman), Frye, Stewart, Millard, Kittredge, Morgan, Taliaferro, McCreary, Latimer.

*On Patents.*—Messrs. Kittredge (chairman), McComas, McCumber, Clapp, Mallory, Foster of Louisiana, Latimer.

*On Pensions.*—Messrs. McCumber (chairman), Scott, Foster of Washington, Burton, Burnham, Alger, Ball, Smoot, Taliaferro, Patterson, Carmack, Gibson, Overman.

*On the Philippines.*—Messrs. Lodge (chairman), Hale, Proctor, Beveridge, Burrows, McComas, Dietrich, Long, Culberson, Dubois, Carmack, McCreary, Stone.

*On Post-Offices and Post-Roads.*—Messrs. Penrose (chairman), Dolliver, Lodge, Beveridge, Mitchell, Proctor, Burrows, Scott, Burton, Clay, Culberson, Taliaferro, Simmons, Gorman.

*On Printing.*—Messrs. Platt of New York (chairman), Elkins, Gorman.

*On Private Land Claims.*—Messrs. Teller (chairman), McEnery, Pettus, Hale, Kean, Gamble, Burton.

*On Privileges and Elections.*—Messrs. Burrows (chairman), Hoar, McComas, Foraker, Depew, Beveridge, Dillingham, Hopkins, Pettus, Dubois, Bailey, Overman, Clarke of Arkansas.

*On Public Buildings and Grounds.*—Messrs. Fairbanks (chairman), Warren, Scott, Quarles, McCumber, Wetmore, Quay, Culberson, Simmons, Clay, Stone, Latimer.

*On Public Health and National Quarantine.*—Messrs. Morgan (chairman), McEnery, Mallory, Culberson, Spooner, Depew, Ball, Heyburn, Long.

*On Public Lands.*—Messrs. Hansbrough (chairman), Nelson, Clark of Wyoming, Bard, Kearns, Gamble, Burton, Dietrich, Fulton, Berry, McEnery, McLaurin, Gibson, Dubois, Newlands.

*On Railroads.*—Messrs. Clark of Wyoming (chairman), Nelson, Hawley, Bard, Allee, Ankeny, Smoot, Bacon, Pettus, Money, Carmack.

*On the Revision of the Laws of the United States.*—Messrs. Depew (chairman), Proctor, Fulton, Heyburn, Long, Daniel, Mallory, Bailey, Patterson.

*On Revolutionary Claims.*—Messrs. Tillman (chairman), Bate, Platt of Connecticut, Alger, Ball.

*On Rules.*—Messrs. Spooner (chairman), Aldrich, Hoar, Elkins, Teller, Cockrell, Bacon.

*On Territories.*—Messrs. Beveridge (chairman), Dillingham, Nelson, Bard, Quay, Burnham, Kean, Bate, Patterson, Clarke of Arkansas, Newlands.

*On Transportation Routes to the Seaboard.*—Messrs. Gamble (chairman), Clark of Wyoming, Perkins, Ball, Allee, Pettus, Daniel, Dubois, Clarke of Arkansas.

*On the University of the United States.*—Messrs. Long (chairman), Frye, Wetmore, Burnham, Dillingham, Dryden, Allison, Clay, Carmack, Blackburn, Foster of Louisiana.

#### SELECT COMMITTEES.

*To Investigate the Condition of the Potomac River Front at Washington.*—Messrs. Millard (chairman), Frye, Beveridge, Allee, Martin, Bacon, Clark of Montana.

*On Woman Suffrage.*—Messrs. Bacon (chairman), Berry, Wetmore, Bard, Mitchell.

*On Additional Accommodations for the Library of Congress.*—Messrs. Berry (chairman), Stone, Cullom, Allison, Mitchell.

*On Transportation and Sale of Meat Products.*—Messrs. Daniel (chairman), Stone, McCumber, Quarles, Ball.

*On the Five Civilized Tribes of Indians.*—Messrs. Bate (chairman), Teller, Dietrich, Kittredge, Burrows.

*On Industrial Expositions.*—Messrs. Burnham (chairman), Hawley, Hansbrough, Lodge, Alger, Fulton, Daniel, Cockrell, Carmack, Gibson, McCreary, Newlands.

*On National Banks.*—Messrs. Kearns (chairman), Penrose, Ankeny, McEnery, Gibson.

*To Investigate Trespassers upon Indian Lands.*—Messrs. Dietrich (chairman), Heyburn, Morgan.

*On Examination and Disposition of Documents.*—Messrs. Alger (chairman), Kean, Hopkins.

*On Ventilation and Acoustics.*—Messrs. Ball (chairman), Gallinger, Gamble.

*On Standards, Weights, and Measures.*—Messrs. Smoot (chairman), Dolliver, Long, Clark of Montana, McCreary.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. MORGAN. Mr. President, I desire to be heard upon the resolution. I have no objection to its present consideration.

The PRESIDENT pro tempore. The Chair hears no objection, and the resolution is before the Senate. The Senator from Alabama.

Mr. MORGAN. Mr. President, on the question before the Senate, which concerns every interest of the Government and people of the United States, I desire to present a historical statement of the situation of our Government and people on a subject that is most engrossing in its importance and in its responsibilities in respect of an isthmian canal.

In all that I have done in the effort to promote the construction of an isthmian canal that would be in the ownership and under the exclusive control of the United States, in perpetual right, I have not presented or encouraged any view of this great national question that was colored with even a tint of party politics. I did not seek the place with which the Senate has honored me heretofore, as chairman of an important committee, and I have no right or cause to regret that new conditions of party exigency demand my retirement. I would still prefer, very decidedly, that this subject should be treated, as it has been, as a question of foreign relations, in respect of which the demands of patriotism do not permit any American's heart and conscience to be bound, as is too often the case, to a party allegiance that violates both.

In the past two years much provocation has been given by the efforts of the opponents of any canal and by the advocates of the Panama route for involving this great world question in the contests for political supremacy in the United States, all of which I have steadily resisted, even to incurring the censure of some of my political brethren. Up to this hour I have not attended a political caucus on this subject. Three of the oldest and most distinguished Republicans of the Senate—members of this committee—have uniformly voted with me on every important ques-

tion that has come before the Committee on Interoceanic Canals. I need not mention their names nor remind you of their powerful influence, their high character, or their great abilities. I could not voluntarily part company with those Senators and others of the Republican party with whom I have acted and voted oftentimes on the same questions that must again come before the Senate. I have not and will not reverse my position on those questions at the bidding of any party caucus. The great political captain who will now take the canal question in charge needs the help of party machinery to compel obedience to his will. For one, I do not even fear that power to drive Senators from their convictions while the memory of Grant, Harrison, and McKinley is cherished by the American people.

Among the Presidents of the United States who have been most active, pronounced, and powerful in the support of an isthmian canal and most decided, persistent, and resolute in the advocacy of the Nicaragua route, with whom I have most cordially cooperated, all of them were Republicans.

I have followed their leadership on this subject without a thought of party differences, and am proud to state the fact, for, after all, it is no discredit to a Democrat that his course in the Senate on matters that rise far above the contests of party politics has been in accord with such Presidents as Grant and Hayes, Arthur, Harrison, and McKinley, and with such Secretaries of State as Fish and Evarts, Frelinghuysen, Blaine, and Sherman—all of them eminent Republicans, distinguished statesmen, and true Americans. I mention only those who have passed away.

Of the admirals and great captains of the Navy, all of them, I believe, have been in favor of General Grant's plan of an isthmian canal in the exclusive ownership of the United States, and all, save one, I believe, have steadfastly advocated the Nicaragua route without "the shadow of turning." In the Army the consensus of opinion is for the Nicaragua route, but their professional connection with the question has naturally been more remote than that of the Navy.

A like consensus of opinion has existed and still exists among the ablest and best known of the body of American engineers, who have added a splendid fame to the United States, which is as bright as that which glows in the history of our foremost men in the legislative halls and the courts of our country.

These are the statesmen, admirals, generals, and engineers whose lead I have followed with confidence in forming my opinions, and in what I have thus been able to learn from their teachings and guidance I have found no fact that in the least has disturbed my confidence in their wisdom.

I would most cheerfully leave the choice between these routes to the vote of the men who comprise the working membership of the various societies of American engineers, men who work in the fields of enterprise and know the ways and have followed them in their toils. They are not mere wiseacres who affect wisdom, in the absence of knowledge, and call themselves consulting engineers, or those who can not be impartial because of their long service in the employment of the Panama Canal Company and the transcontinental railroads.

If my judgment is in error, these great Americans are more to blame than I am, for I have only attempted to follow the plain road they have opened, and I have found in it no difficulty.

I have only been anxious to be right in my votes as a Senator on these questions, and that our country in working out this great scheme, which no other American country is able to accomplish, and no European or Asiatic country will be permitted to attempt, should be "clean" and "decent" and without the reproach of intrigue, or of neglect of the rights of others, or of combinations with political or other leaders of parties or sects, in any country, to ride down opposition or to oppress the owners and claimants of honest rights, with confiscations and denial of justice. If one man, whose opinions would be of as little value as mine are if he were not President, can reverse and brush away as chaff the conclusions of all the great and scientific men who have studied these questions thoroughly during the past two centuries and can crush all who dare to question his wisdom, it is time to look more deeply into this matter and to see whether he can also crush the statute laws and the rights of Congress as well.

I think that the appeal to party discipline to force his opinions on the country and his measures of aggression on foreign countries, in addition to his power as Commander in Chief of the Army and Navy, which he uses with a dreadful latitude of construction, is so strong a proof of heart failure in the present wild movements that I am encouraged to hope that there are still some barriers that we may rely upon to protect the peace and save the commerce of the country. I regret that party discipline is to be used as a domestic police force to protect "the transit" in Panama and to guard the interests of the New Panama Canal Company. That we will get a canal, if one can be built in Panama, I have no doubt, for the President has said so. Yet this result is not clearly so certain, or so safe, as if he should obey the Spooner law.

Above all else I have desired that in our dealings about this great matter we would not enter into bargains with convicted felons, or with adventurers who are not felons in legal estimation only because they have not been convicted, or with men whose felonies have been condoned because they were the only people who were in position to give profitable bargains to the United States.

I beg pardon of the Senate for thus stating my personal attitude toward this subject. I have taken that liberty because I do not wish to be understood as having any personal ambition to serve or any party bias to influence my opinions in these matters, or any personal desire to remain at the head of this honorable committee or to be a member of it.

The most natural and instructive manner of considering this subject is by a comparative chronological arrangement of the facts that are most important with reference to the two canal routes, which I will attempt, but will ask leave of the Senate to append this statement of historical facts to my remarks without delaying the Senate to listen to the reading of them.

The early explorers of the American Isthmus for an eligible canal route after much careful reflection, centered upon the Nicaraguan route, as the only one that was available. So I will present these facts in periods of consecutive years, until the period when the Panama Canal was taken up for instrumental survey. Then I will present, as briefly as I can, a statement of the facts relating to each route, to the present time, in chronological order.

In the present situation it seems proper that I should restate the most important facts relating to the Nicaragua route, that there may be no hesitancy or evasion as to executing the canal act of June 28, 1903.

Before doing this I must make a statement, in some sense personal, which I would not make but for the respect I have for the character of the Evening Star, of this city, and its worthy conductors.

In a recent issue, under the head of "Mr. MORGAN and the canal," the Star says: "Congress, by a vote almost unanimous, ordered the change (from Nicaragua to Panama) and put the matter in the President's hands." The Star is misled by some lamentable oversight as to the facts as they are shown by the record. The entire House, save two votes, had voted for the Nicaragua route, and the matter that was put into the hands of the President by the Spooner law was not a discretion in the choice of routes. It was not even a discretion as to the time within which he was required to obey the law after the time for dealing with Colombia had been fixed by agreement in the Hay-Herran treaty.

The Spooner amendment to the House bill did not substitute the Panama route for the Nicaragua route. It only gave a preference in the selection of routes to the Panama scheme, upon certain conditions that are now impossible. The giving of this preference as stated and regulated in the Spooner amendment did not displace the Nicaragua route or condemn it with even a shadow of disapproval. On the contrary, that law is as firm and decisive as to the merits of the Nicaragua route as the Hepburn bill, the language of which, in this respect, was copied from that bill. The Spooner law orders the President to cause the Isthmian Canal Commission to excavate and construct the Nicaragua canal if Colombia should fail, within a reasonable time, to ratify a treaty with the United States making certain concessions and stipulations prescribed in the Spooner Act. I need not repeat them to the Senate, but the Star would do well to give them careful examination and due weight to all their provisions.

The misrepresentations of the provisions of the Spooner Act, through the neglect of some of the leading journals to state them fairly and fully, and in the misstatement and utter perversion of the truth by some of these accepted guides of the great masses of political followers, has done more to bring about the present wretched situation than all other agencies.

The misrepresentations of the minister plenipotentiary and envoy extraordinary from Panama when he was the peripatetic spellbinder for the New Panama Canal Company in the United States, in the interest of certain railroads, were not more fierce against the Nicaraguan route than is the injustice of some of these leaders of public opinion.

The interest of some of the great capitalists in handling this job is not less than it was when they were serving their old master, the old canal company, for enormous commissions, nor is their new master, the New Panama Canal Company, nearly so "decent" as the old company, the stench of whose corruptions drove the French Cabinet from office. It is time that we had washed our hands of this business, and it is fortunate that the Spooner bill requires us to do so without delay. Let us send out a round robin from Congress and inform the President that it is about time to provide for the health and safety of the country.

I respectfully demand from Mr. Hay, or from whomever can speak for the President, that the statement shall be verified, by the facts, that some of our great engineers have informed the President that the Nicaragua canal route is impracticable. I would make this demand of the President if it was good form to do so.

No concessions are now possible to be obtained from Colombia. If they were even possible, the "reasonable length of time" prescribed in the statute was in fact a limitation upon the right of Colombia to accept the benefits of that act, then to be decided between the two canal routes, both of which were active competitors for a very great prize.

Colombia had the preference in the bidding—for that was what it was—and was limited to a "reasonable time" as to her right to bid or to accept the conditions prescribed in the Spooner amendment. No such time limit is prescribed as to Nicaragua and Costa Rica. Their right to be heard arose at once when the right of Colombia ceased.

In the Hay-Herran treaty, which was ratified by the Senate of the United States, a time limit was fixed for the acceptance by Colombia of the terms and conditions prescribed in the treaty under the authority of the Spooner law. That time was the 22d of September, 1903. It was all the time Colombia asked, and all that the President and the Senate would grant, and it was made by agreement the fixed and utmost limit of time for acquiring canal concessions from Colombia.

The treaty fell when that limit was passed by the action or non-action of the Colombian Congress, and no power was left in the President, or in Colombia, by the Spooner Act to again open negotiations with Colombia under that law. The President had no power under the Constitution to open negotiations with Colombia or to entertain them after the 22d of September, 1903, because the Hepburn bill was enacted by Congress and approved by him in substance and in full effect in the Spooner law, with some additional provisions that the President is required to perform if it is possible. That act of Congress stands unrepealed. It is the supreme law that controls and establishes the policy of the United States, that no American can nullify. In the Spooner Act all the provisions of the Hepburn bill are found and the identical language, certainly in substance. It is the essential part of the Spooner Act as to the authority of the President to acquire canal concessions.

The time for the performance of these duties toward the acquisition of the Nicaragua route began at once on the definite and irrevocable failure of the Colombian Congress to ratify the Hay-Herran treaty on or before the 22d of September, 1903, and the President was bound to perform that duty in due season and with reasonable diligence. The Spooner law required him to open negotiations with Nicaragua and Costa Rica for that purpose. It had no reference to any caesarean operation by which a republic of Panama might be taken alive from the womb of Colombia and be empowered by our President to seize the territory of Colombia and to assume ownership and sovereignty there under mythical covenants that some diplomatists, "wise above what is written," have invented and have declared that they "run with the land."

The President fixed the "reasonable time" in favor of Colombia in the Hay-Herran treaty, which was signed and sent to the Senate and was ratified with that agreement in it. The authority of the President as to deciding upon a reasonable time was thus fixed by the Hay-Herran treaty and exhausted by the act of Colombia, and he was left to the plain and simple duty of executing the remaining requirements of the Spooner law.

It was this expectation and the faith I had in the President that he would obey the law, as he insists that every other good citizen shall do, that caused me to agree in the committee of conference between the two Houses to the passage of the Hepburn bill as it was amended on the motion of the Senator from Wisconsin [Mr. SPOONER]. On that amendment the majority of the Senate was six votes in its favor. The House never took a direct vote on the Spooner amendment. From this it will be seen that the Star is mistaken as to the vote in favor of the Panama route.

Of two of those six votes I will not speak now. That is a matter for political discussion. I voted against the Spooner amendment; yet I then had no substantial doubt that, if adopted, it would lead to the construction of the canal on the Nicaragua route, but I knew that the road would be long and difficult.

The only doubt I have now is whether the Senate will obey the law, the President having refused to obey it. The action of Congress on this question can not be avoided, and I suppose the House will want to know what has become of the Hepburn bill, that was in substance and almost in form enacted in the Spooner law.

The Hepburn bill was never defeated in the Senate. The Spooner amendment to that bill changed no fact or principle it contained. It was enacted without losing any of its force, and it was postponed, as to its operation in favor of the Nicaragua route, to a treaty with Colombia, which the President was authorized to negotiate, until Colombia should fail to make such a treaty as is provided for in that act, or the Congress of Colombia should fail to approve such treaty. The Colombian Congress, elected and called into extraordinary session by Marroquin, as President of Colombia, for that purpose, did not approve the treaty within the time agreed to, as expressed in the treaty.

The President then notified the Colombian Government that the United States would not open negotiations with a view to canal rights or concessions, and there the matter ended. Then the President took an active part, as Commander in Chief of the Navy, in cutting off Colombia from exercising civil or military authority in Panama, thereby putting it beyond his power to deny that the unexecuted part of the Spooner Act can be executed by him, as President, at least so far as to enter into negotiations with Costa Rica and Nicaragua, without impairing any part of that law or any advantage that Colombia could possibly have derived from it. This is the question that Congress must decide, as the President refuses to execute that law, or else the will of the President becomes the supreme law of the land.

The President completed his campaign for destroying the unexecuted part of the Spooner Act by causing Mr. Hay to sign a canal treaty with somebody who is here from Panama. This treaty was made in consequence of a prearranged revolt against Colombia, which was executed at Panama on the 3d of November, 1903.

The latest information we gain from the Department of State as to the progress of treaty making with Panama is that the treaty is made to suit the Government by Mr. Hay and a Frenchman whose sole authority for this solemn act is a telegraphic power of attorney issued by a junta in Panama that Marroquin styles a "barracks junta."

That junta met and acted under the military protection of the United States, as is now revealed in a message of the President on the 16th instant.

I have no accusation to make against our Government that it is engaged in a conspiracy to separate Panama from Colombia, but the facts I will now state, taken from the message of the President, prove that the President knew of such a conspiracy and stood ready with armed ships properly posted to protect those engaged in the "uprising" when it should occur. His duty under the treaty of 1846, if he had any duty in the premises, was to check rather than to protect such a movement.

The Department of State—in other words, the President—took command of our naval forces at Panama and at Colon, assembled for that purpose, and awaited tidings from the Department of Panama. They came, as expected and desired, on the 3d of November, 1903, a day hereafter to be "saints' day" in the calendar of filibusters, who act "in the interests of peace" in destroying government by surprise and without notice when "the victories of peace, more renowned than war," bring spoils without bloodshed or danger.

The facts that suddenly broke upon the world like "the explosion of an idea," which is now the classic form of definition for conspiracy to raid a sleeping republic, all occurred in an afternoon of that historic day.

The parties concerned and the expectant officials were at Washington, New York, and Colon, 1,500 miles apart, but the electric cable was at hand and distance was annihilated.

The story is as follows: It first fixes the responsibility on the press if there should be any miscarriage in the accouchement through a fake story. In this instance it was the expected that happened and the press was a recording angel, not a prophet.

As soon as "Loomis, Acting" as Secretary of State, was able to say, in a dispatch to our consuls at Panama and Colon, "Uprising on Isthmus reported," at 3.40 p. m., and Ehrman, consul at Panama, answered, at 8.15 p. m., "No uprising yet. Reported will be in the night. Situation is critical," "Loomis, Acting," seems to have ceased action until the hour of 11.15 p. m. on this saints' day.

In the meantime "Darling, Acting" Secretary of the Navy, took command.

He had acted in a similar case, in favor of Colombia, in Marroquin's war in 1899 to 1902, on the 29th day of October, with eminent success, using the same title of "Darling, Acting." He then formed the military junction between our naval forces and the army of Marroquin to suppress insurrection at Panama. He was cooperating with Marroquin at that date.

So eager was he to again display his military prowess and strategic abilities that he could not stop at that hour of the night to consult the Secretary of the Navy, and he at once instituted war against Colombia in the following order to the commander of our war ship, the *Nashville*:

*Nashville, Colon:* In the interest of peace make every effort to prevent Government troops at Colon from proceeding to Panama.

That was the first military order which was given out. It was at Panama that the "barracks junta" was then at work imprisoning army and navy officers of Colombia at 6 p. m. on this noted day.

The dispatch of Consul Ehrman, on which Loomis acted, is as follows:

Mr. Ehrman to Mr. Hay.

PANAMA, November 3, 1903.

(Received 9.50 p. m.)

Uprising occurred to-night, 6; no bloodshed. Army and navy officials taken prisoners. Government will be organized to-night, consisting three consuls, also cabinet. Soldiers changed. Supposed same movement will be

effected in Colon. Order prevails so far. Situation serious. Four hundred soldiers landed Colon to-day Barranquilla.

EHRMAN.

It was an "uprising" of which our Government had notice. How many rose up or who they were was not stated, and our Government did not know, unless it had been informed in advance of the movement to begin the revolt.

There was "no bloodshed," and "army and navy officers (were) taken prisoners. \* \* \* Order prevails so far. Situation serious." There was no danger developed so far as "the interests of peace" were concerned, unless the peace whose interests the President was protecting was intended to be "the peace of death" as to the sovereignty of Colombia, which other Presidents have been protecting for sixty years, against revolt in Panama, under the treaty of 1846.

That pretense as to "the interests of peace" was an evasion, when it was made a text from which to preach a crusade against Colombia, unless it was intended to be the grimest joke that ever graced the atmosphere of irony, that great diplomatists have sometimes enjoyed.

In this phrase of the Darling dispatch we see the "interests of peace" that we set up against the sovereignty of Colombia, and they are the peace that comes from war. "Situation serious; 400 soldiers landed Colon to-day, Barranquilla," says Ehrman.

These soldiers were sent there to enforce the constitution and laws of Colombia. Our Government has made no pretense to the contrary. That was the lawful right and duty of Colombia that we had guaranteed to aid her in performing. Our guaranty went still further and assured Colombia that we would protect her in the ownership of the State of Panama against all claimants. It was a direct and firm guaranty against the secession of Panama, that she had made several desperate and bloody efforts to accomplish. This guaranty was given at the close of the "Twelve years' war," which was a secession war, and Colombia demanded our guaranty against its successful recurrence. We gave the pledge to get the right of transit for our people, and Colombia feared that they might enter her territory under this privilege as filibusters. This is the true story of this pledge, which our naval forces have broken.

What did we expect? What had we the right to expect that the 400 soldiers of Colombia intended to do on being sent from Barranquilla to Colon, where they went into camp. Were they there to violate the laws of Colombia or the treaty of 1846?

If our Government had any grounds to suppose that these soldiers were there for any other or different purpose, Mr. Hay, in making his defense of the President in a public document, would not have done his chief the discredit of withholding such facts.

There was no other excuse or motive for the following act of war against Colombia than to protect the "uprising" at Panama, when Darling ordered the commander of the *Nashville* to "make every effort to prevent troops at Colon from proceeding to Panama."

To do this the commander of the *Nashville* was bound to fight, if it was the best way to protect the junta at Panama. In the same breath Darling ordered that "the transit of the Isthmus must be kept open and order maintained." It was closed to Colombia and open to all other comers and goers.

At 9.50 p. m. Ehrman had dispatched Mr. Hay that "order prevails so far," so that situation did not demand war against Colombia. There had been "no bloodshed," so that there was no bleeding for liberty to be avenged.

The 400 soldiers at Colon, sent there by Colombia in her indisputable right and under our guaranty of her sovereignty, was the only threat of the disturbance of the peace of the isthmus that caused Darling to make war on Colombia if she even attempted to march these troops overland to Panama to rescue her army and navy officials that were then prisoners in the hands of a revolutionary mob.

Loomis repeated Darling's message to the commander of the *Nashville* at 11 p. m. to Consul Ehrman, because it "may not have been delivered," and directed him to see that the copy was delivered immediately. Doubtless fearing that some interruption of the telegraphic lines might delay the war, he was ordered to "secure special train, if necessary," on the railroad. His fateful and last words were, "Act promptly."

All Christendom will hope that Mr. Hay was resting or asleep from the fatigues of his great office when his subordinates were thus engaged in rushing war against Colombia. The President never sleeps on his post of duty or desire, though he sometimes closes his eyes. He knew all that was going on, but may not have been so active and strenuous as he was when in the war with Spain his strenuousness was so pronounced and his alacrity was so eminent, as described by the late Secretary of the Navy.

Consul Ehrman, in his dispatch at the hour of 9.50 p. m. of this fateful day, either made a remarkable prophecy or else he was in the secret counsels of the junta at Panama when he said, "Government will be organized to-night, consisting of three consuls, also cabinet."

The three consuls remind us of the germination of the Empire of France through the paternity of three consuls, and that Napoleon, an Italian, born in Corsica, was to become Emperor in the final travail of liberty.

It was a French conception in the junta at Panama, and doubtless owes its brilliancy to the New Panama Canal Company and its seductive attractions to the genius of Cromwell.

Our President could not have been in contemplation, for he is a devotee of righteousness and is usually on friendly terms with peace. So I hope for the best, although the Cynic's Calendar has this bon mot, which is sometimes in point: "When mercy and truth are met together and righteousness and peace have kissed each other, look out."

There is no escape from the fact that the orders given to the officer commanding the *Nashville* at Colon on the 3d of November, 1903, were orders that authorized war upon Colombia, and that they were given without warning or notice to the Government of that Republic. Colombia had the right to be there with her civil or military forces to enforce obedience to her law in virtue of her sovereignty to preserve the peace and to protect the transit across the Isthmus. The United States had no right to be there with her forces to protect the sovereignty of Colombia without her request or assent. It was the question of throwing off that sovereignty that caused the uprising at Panama. It was not the protection of the transit that caused the uprising.

If the transit was either in present or remote danger of interruption, it was the uprising at Panama that created that danger; but, in fact, there was no such danger.

If Colombia could not repress such an outbreak on her sovereignty in the Department of Panama except by force, as was true, and if she could not use such force without endangering the transit, which was not true, the treaty of 1846, if it means that Colombia is not to be permitted to enforce her sovereignty with the assistance of her armed police or her military forces, because it might endanger the transit, directly or remotely, and that the United States in such a case has the right to prevent any attempt by Colombia so to repress insurrection, it is the United States that is made sovereign over Panama by that treaty, and sovereign over Colombia.

Neither this nor any coming generation, in this country or any civilized country, can read and so interpret that treaty.

We should never put ourselves on record as sustaining a view of our rights under that treaty that contradicts its language and denies and perverts the purposes it was intended to subserve.

We will go down in history as the violators of our treaty with Colombia for the purpose of obtaining canal concessions at Panama, on our own terms, that we could not otherwise obtain, and children yet unborn will change the title of the Grand Republic to some reproachful name that we will furnish them occasion to saddle upon us.

The Spooner law offered to Colombia certain opportunities in dealing with the subject of the Panama Canal that her Congress might accept or refuse to accept on or before the 28th of August, 1903.

There was no hint of compulsion in that law toward Colombia or of reprisals upon her if she declined to accept that offer.

Nothing could be more remote from the purposes or expressions of Congress in that act than a war upon Colombia or an attack upon her sovereignty, or the support of any such attack, or the countenance of any such effort if her Congress should refuse to ratify the treaty to be made under its provisions.

Colombia may deserve all she has experienced in her dealings with her own people in Panama, but the Spooner law did not assign to the United States the guardianship of those people, and "the interests of peace," which are the moral excuse for making war on Colombia, were not provided for in that act or in any other law except that of the military usurper.

We have before us a difficult journey that may be a disastrous task in the outcome.

Our accomplished literary Chief Magistrate has no romantic tour ahead of him, where he can enjoy the quiet seclusion so congenial to his tastes, in our vast national parks, and can there indulge in dreams of diplomatic triumphs and military exploitation. He will need all his military abilities and all the money of the people in the Treasury and the lives of many of their sons to conduct what Reyes says will be a Boer war in Colombia.

Already peace commissioners from Colombia have been turned back to their mountains by the Panamistas. They felt strong in the approving presence of Rear-Admiral Walker, who was in attendance on a visit of ceremony at the appropriate moment, and they were refused liberty to set foot on the soil of Panama. They were told that Panama still loved them, as I believe she does, but had entered into new espousals and that the marriage to the grand republic had been celebrated by a French proxy in the salon of our Secretary of State.

They went home angry. Then came other Colombian commissioners headed by Reyes, whose favor we courted when we wanted

a treaty with Colombia at the sacrifice of the privileges of the Senate. Along with Reyes as commissioners were Generals Ospina and Holguin. They came for peace with honor, and therefore refused to set foot on the deck of the American cruiser *Dixie*, that had been set apart to do them special honor. They would not by such a condescension admit that our ships were rightfully at Colon.

This sensitive exhibition of national pride seems to have cut short this expedition to Panama, which, after all, was not its real destination, since they had taken passage on the French steamer *Canada* for Port Limon, Costa Rica, but their destination was unknown.

I insert a statement from the Washington Post, dated Colon, November 19, which describes one scene of this tragic drama. I will not detain the Senate by reading it, as I suppose Senators have all read it:

COLON, November 19 1903.

Generals Reyes, Ospina, and Holguin, appointed as commissioners by the Colombian Government to come to the Isthmus and negotiate for terms of peace looking to "the saving of the national honor," arrived here to-night on the French steamer *Canada*. The peace commissioners left Savanilla yesterday without knowing the result of the conference between the peace commission from the department of Bolivar and the members of the junta on board the *Mayflower*. When General Reyes learned of this conference he said that he entirely disapproved of the mission of the Bolivarians.

Other prominent Colombian generals on the *Canada* are Sarria, Ortiz, Bustamante, Angulo, and Lucas Caballero. Generals Bustamante and Caballero, who are prominent members of the Liberal party, joined the peace commissioners at Savanilla, but were not delegated by the Bogota government.

There was great excitement on the arrival of the *Canada*. Hundreds of persons flocked to the neighborhood of the dock, but were prevented from reaching the vessel by marines, who were landed from the United States war ships as soon as the *Canada* was sighted. The marines now guard the wharf.

Captain Merriam, of the United States auxiliary cruiser *Dixie*, immediately went aboard the *Canada* and conveyed to General Reyes the result of the mission of the Bolivarians. He invited General Reyes and the other members of the commission to come aboard the *Dixie*, but the General and his companions declined the invitation. Admiral Coghlan, who had just arrived from Panama, extended an invitation to the commissioners to come aboard the *Mayflower*, but the Admiral's invitation was also declined.

It is understood that General Reyes and the other Colombian officers will remain on the *Canada* until to-morrow evening, possibly until Saturday evening, when they will leave for Port Limon, for which destination all had tickets.

The commissioners sent a telegram to the junta at Panama, asking for a conference there to-morrow, but the Panamanians' Government declined to grant the request. It is expected, however, that a representative delegation from Panama will arrive here to-morrow and confer with the commissioners on board the *Canada*.

The Colombian generals were not permitted to land at Colon, and it is considered absolutely certain that their mission, like that of the commissioners from the department of Bolivar, will prove altogether futile.

We profit by the folly of Colombia, while we lament the weakness that betrayed us into her power. Our prayer for deliverance from this evil has been granted, and we are well rid of Colombia.

In the Hay-Concha treaty the door was left wide open for her sort of blackmail, and in the Hay-Herran treaty it was used by Colombia to demand \$15,500,000 for what she had solemnly agreed to take \$7,000,000, upon which agreement the President knew that Congress had acted in passing the Spooner bill. If our frantic pursuit of this vicious and corrupt but glittering temptation does not yet land us into still worse situations we will have to look to Congress and, after all and before all, to God for deliverance.

The fourth article of each treaty is the same in terms, and both of them violate the Spooner Act and imperil our future relations with the Spanish-American Republics, as follows:

The rights and privileges granted to the United States by the terms of this convention shall not affect the sovereignty of the Republic of Colombia over the territory over whose boundaries such rights and privileges are to be exercised.

The United States freely acknowledges and recognizes this sovereignty and disavows any intention to impair it in any way whatever, or to increase its territory at the expense of Colombia or of any of the sister republics of South or Central America, but, on the contrary, it desires to strengthen the powers of the republics on this continent, and to promote, develop, and maintain their prosperity and independence.

That was the vote of the Senate of the United States, almost unanimous. This was the President's declaration of his ambition, which had then soared to its zenith. This was the Ultima Thule of his hopes and endeavors. Recent events forshadow its sure disappointment and great trouble to our people.

In the Spooner Act Congress refused to commit the United States to this radical policy, which exceeded all the bounds of prudence and wise statesmanship and invited the resentment of all the Spanish-American States against the self-assumed guardianship of their strength and power on this continent.

Why this grandiloquent declaration was confined to this continent is beyond comprehension, unless it was to round a period in an outburst—an "explosion of an idea," as a similar occurrence in the birth of the Republic of Panama is described by her first, and therefore her most distinguished, "minister plenipotentiary" in his public address to a member of this body.

It may be that the afflatus of hysterical statesmanship that inspired this great thought of the President has infused itself as "a leaven that leaveneth the whole lump" of the Republican party, but I still hope and believe that they are still thoughtful.

If it is intended to assure Mexico and the Central American

States against future invasion, I welcome this burst of universal philanthropy as a cautionary admonition to this and coming generations.

But I am glad that Congress in defining the powers of the President in the Spooner Act limited him to the sole duty of acquiring canal rights and necessary jurisdiction to control a canal to be constructed by the United States on one of two named routes and that it gave the President no authority to make pledges such as are made in the fourth article of both the treaties concluded by him with Colombia.

That Marroquin, with his hands red with the blood of his enemies in his native country, where he ruled as dictator, and with the blood of children conscripted into his army on his hands, 40 per cent of whom were from 9 to 15 years old (as is stated in a message of the President to the Senate on the day of the adjournment of that body in March, 1903, see page 81 of Document No. 10, Fifty-eighth Congress, special session), should have been invited to join with the President and the Senate in enacting section 4 of the Hay-Herran treaty, must be a surprise to the "sister republics in South and Central America."

Marroquin could be excused by his inability to harm those republics for his acquiescence in those pledges, but he could add nothing to their force or respectability. But we made this alliance with him not dreaming that within less than a year the President of the United States would violate this declaration at the expense of Colombia. The pledge on our part was, "That the United States freely acknowledges this sovereignty (of Colombia) and disavows any intention to impair it in any way whatever, or to increase its territory at the expense of Colombia or of any of the sister republics of Central or South America."

Colombia must have had some serious apprehensions of a design to increase the territory of the United States at her expense as the logical result of our controlling the Panama Canal when she twice demanded and obtained from our President this solemn and special pledge, which Congress failed and refused him the power to make. The President asked Congress for a law that would authorize "such a treaty" as the Hay-Concha treaty, and it was refused by the silent rejection of many of the most important provisions of that treaty in the Spooner law, especially the fourth article. Congress would not agree to this political guardianship of the Spanish-American States.

No sooner had Colombia rejected the Hay-Herran treaty than our Government began to prepare for events that would test our good faith in keeping this pledge. I will wait to see how far and how fast we will go in its violation before I shall assist in that work.

I will not now discuss the provocation or excuse, if any, for our interference between Colombia and her Department of Panama or the manner of the interference, for which I have found no reasonable ground of justification. But I will assert, and the whole world will agree with me, that but for the fact that the canal route for the Panama Canal is located in Panama, and that the President had determined that, in any event, the appropriation made for a canal by Congress should be expended on that canal, and that the property and concessionary rights of the New Panama Canal Company should be purchased from that company and be paid for out of that appropriation at the sum of \$40,000,000, or a greater sum, the President would not have interposed the asserted diplomatic power of the United States to protect a junta of secessionists in Panama against the laws of Colombia.

He would not otherwise have discovered that our treaty with New Granada in 1846 required him to protect the railroad transit against the laws and the rights of Colombia on territory whose ownership and her sovereignty over it we had promised effectually to protect.

It was less than a year since our President, of his own initiative, apparently, but without objection from Marroquin, then president and dictator of Colombia, protected his army of conscripted children from being slaughtered or captured by the army of the liberal party in Panama.

The number of Colombian generals destined for Port Limon must mean business. I have no conception of the purpose of this military demonstration, but I suppose that we will soon hear from it in a way that will increase our respect for the Spanish-American diplomatist and warrior.

If I did not have the most profound respect for the honor of the ministers from Costa Rica and Nicaragua, whose Governments we have treated with shameful injustice, so that we might make a supposed bargain with the New Panama Canal Company and put into the hands of its attorneys, spellbinders, syndicates, and convict stockholders some pieces of silver, I would expect a confederation between the isthmian States north of Panama and Colombia that would at least destroy our commerce and draw us into a realization of the necessity for an immediate increase of the Navy.

Unless we shall soon hear that those large additional promises to pay, that have heretofore so encouraged the Panama Canal Company and others concerned, are made by the President and indorsed

by the Secretary of the Treasury, whose soul suddenly yearns with a desire to lift a shovelful of dirt from the great ditch, we shall look for a battle of the giants.

I hope that this last calamity may be averted through the steadfast honesty of Costa Rica and Nicaragua.

And now a new problem comes up from Colombia. It is that the Departments of Antioquia and Bolivar have been shaken loose from their foundations and affectionate loyalty to the Republic of Colombia by this new form of earthquake—the sentimental form that the Senator from Ohio has already kept ready to jolt a canal movement out of position.

The Senator may try that once too often.

Colombia, acting by departments, seems to be considering the effort to annex herself to the Republic of Panama.

It would be a very amusing, if not a dangerous, result if the balance of the power should be so great against Panama that she, with her canal, and her \$10,000,000, and the New Panama Canal Company, and her minister, and her ratifying committee, and Mr. Cromwell should be enticed back into the Republic of Colombia. Who can forbid that under existing conditions? Do we forbid it or pretend to forbid it in the treaty that Mr. Hay has negotiated with Mr. Varilla? Then the great captain of canal industry may find that the Colombian Yankee has "out yanked" his North American prototype.

News, one day later, informs us that General Reyes has concluded to come to the United States on a mission that has a more belligerent aspect. I well remember that he is man of resources in the arts of intimidation. It was he that probed into the secret debates of the Senate, through the kindness of some leaky Senator, and got an exaggerated statement of some remarks imputed to me.

He was in the City of Mexico, as minister from Colombia, and he loaded the wires with scurrilous reproaches against me as a Senator that were published in the Washington Post within twenty-four hours after I had spoken in the Senate. Marroquin and the President were mutually content, as I was then opposing the allied rulers, and I was left to wilt under the castigation.

A curious coincidence seems to be suggested by the coming of General Reyes. He has laid aside his candidacy for the Presidency of Colombia and put on the insignia of a general to fight us because we refused to give Colombia \$25,000,000 for the canal and took Panama instead.

He has separated from his former coworker, the new chairman of this honorable committee, who, I fear, has sacrificed a magnificent opportunity, as to the Presidency, to gratify his more modest ambition to be the business manager of the canal we are to purchase from the French company, without even a quitclaim from Colombia or any guaranty of title except the strength of our Army and Navy. It is astonishing to contemplate the rash sacrifices that some persons will make for the sake of power or money.

If General Reyes is out for money, he may get it from our rich Treasury, under Secretary Shaw, while he is in "a state of mind" about digging dirt in the canal ditch. But some friend should admonish General Reyes to put aside his sword and walk softly while in search of Treasury salve to heal Colombia's wounded honor.

He should not exaggerate the size or depth of the wound in order to get a big prescription, for Treasury salve is expensive and sometimes hard to obtain. It should be a clean transaction, for we are told in the Scriptures that the ointment of the apothecary should have no flies in it.

It may be claimed without ostentation that the objections to the Hay-Herran treaty, when it was combated by only a few Senators, has so impressed the President with a sense of duty toward the honor and safety of the United States that, with the power to dictate terms to the junta at Panama, he put the substance of every important amendment then offered into the treaty with Panama, and went far beyond those amendments in the right direction.

For the part I took in forcing these reforms upon the acceptance of the President, by whom they were then resented with at least cold indifference, I have no right to be regretful, and the country now sees that there was no occasion for the vulgar and unjust lampoons that the press inflicted upon one who was faithful to the people and to the honor of the country.

Costa Rica and Nicaragua, on the invitation of Mr. Hay, entered into negotiations with him, as Secretary of State, and those negotiations were practically concluded, as he admits in his letter to the chairman of the Committee on Inter-oceanic Canals, which was reported to the Senate.

He also admits in that letter, which I will presently read to the Senate, that those negotiations were conducted under and in conformity with the McKinley protocols of December 1, 1900, which were then recognized as being obligatory on all the parties as pledges of national honor. When, Mr. President, have they ceased to be obligatory, and by what act? Who will answer that question?

As soon as the Isthmian Canal Commission reversed its recommendations on the sole ground of saving \$5,500,000 in the cost of

the two canals, Mr. Hay, without notifying Nicaragua or Costa Rica that negotiations with them were dropped, attempted to negotiate a treaty with Señor Silva, minister from Colombia, which failed, and, he having been recalled by his Government, negotiations were opened with his successor, Señor Concha, which resulted in the Hay-Concha treaty of the 21st of March, 1903, which the President espoused and directed Mr. Hay to sign.

The Hay-Concha treaty embraced, in terms and in corresponding sections, all of the objectionable features of the Hay-Herran treaty that I attacked with amendments in the Senate, all of which were voted down, and for offering them and insisting upon the right to discuss them I was silently censured by the majority in the Senate and openly by the press that can not yet forgive me for the audacity of informing the country of the degradation of its honor and the risk of its safety that the Hay-Concha treaty and the Hay-Herran treaty threatened to inflict upon our Government.

Those amendments, if they had been adopted, would have given us the same rights that were provided for in the treaties that Mr. Hay had negotiated with Nicaragua and Costa Rica. I must do Mr. Hay the justice to say that I have never believed that he was a free agent in concluding either of the treaties with Colombia.

They were the very best he could do in carrying out the fixed policy of the President to abandon the McKinley protocols, and, without notifying Nicaragua or Costa Rica of his purpose, to still "hold the promise to the ear and break it to the hope" of those States.

When Mr. Hay, after the rejection of the Hay-Herran treaty by Colombia, had full liberty of action, he negotiated with Mr. Bruno Varilla a treaty, in a single session of possibly two hours—a treaty that incorporated every important amendment I had offered in the Senate to the Hay-Herran treaty.

I feel honored at the success of having forced the President thus to respect the honor and the rights of the Grand Republic in the Hay-Varilla treaty.

It is still more gratifying to be able to state that Nicaragua and Costa Rica insist that the Hay-Varilla treaty contains no provision applicable to them that was not contained in the treaties they had negotiated with Mr. Hay and have always been ready to sign, and, if required, in the same terms that are found in the Hay-Varilla treaty.

Neither do they claim the rise in the cost of the concessions from \$7,000,000, which they agreed upon with Mr. Hay, to \$10,000,000, that we now so generously proffer to Panama.

Further on I will present the letter to which I referred, which contains all I have said about the action of Mr. Hay and Costa Rica and Nicaragua in signing and sealing the McKinley protocols.

**IMPLIED PLEDGES OF HONOR ATTENDED THE ENACTMENT OF THE SPOONER LAW AND THEIR VIOLATION BY COLOMBIA IN THE HAY-HERRAN TREATY.**

No set of gentlemen ever had higher assurance from any other set of gentlemen than the friends of the Hepburn bill had from the friends of the Spooner bill, that the Senate was legislating on a state of facts that had been established by solemn treaty agreement with Marroquin. The asserted fact was that Nicaragua, with Costa Rica, had agreed to accept \$7,000,000 and Colombia had agreed to accept the same amount for the concessions along the respective canal routes.

The Department of State had invited negotiations with Nicaragua and Costa Rica and had settled the cost of the concessions over the Nicaragua route—a matter that was left open in the McKinley protocols, and every other detail of the agreement was in accordance with those protocols. They were, in fact, concluded, except as to the signatures, and every pledge of honor attended them.

Were these negotiations, which were conducted with the greatest care and in a spirit of mutual confidence and good will, in which those Republics conceded every claim that we seriously made, conducted on our part without sincerity? Were we only getting from these States their lowest bid for these concessions so that Colombia might fix her demands at the same figures and thereby influence the Senate in its action on the Spooner bill?

Did the President then intend to pay Colombia more than \$7,000,000 for her concessions, if she should demand it, after Congress had given him the power to raise the price? If he did not, why did he not stand by the Hay-Concha treaty as to this item?

If it had been intimated that Colombia intended to demand \$10,000,000 instead of \$7,000,000, the Spooner bill would never have been enacted, even under the very extraordinary pressure that was employed to get it through the Senate. The Senate never would have voted \$10,000,000 to Colombia for her concessions, and \$7,000,000 to Nicaragua and Costa Rica for their concessions, if the Spooner substitute had been so framed. The bill would have failed with that provision in it.

Equally, it would have failed if it had contained a provision to add to the \$40,000,000 to be paid to the Panama Canal Company the value or the cost of the work they should do on the canal after the 9th of January, 1903, which is the date of the dispatch of

M. Bô accepting "the amount of \$40,000,000" for the totality, without exception, of its property and rights on the Isthmus.

The work it was then doing and has done since that date was not for the United States, but to keep alive its concessions from Colombia. Besides, it was stipulated in the dispatch that "the above offer to remain in force up to March 4, 1903." It was only an option they offered us, and the President caused the Attorney-General to cable the canal company in Paris, while the Hay-Herran treaty was before the Senate, asking that the offer to sell the canal to us should be kept open until the Senate could act on the treaty and authorize him to accept it, in which event he promised that the \$40,000,000 should be paid by the United States immediately on the ratification of the treaty by the Government of Colombia.

**THE STRENUOUS AND AGGRESSIVE COURSE OF THE PRESIDENT.**

The most strenuous part of the President's career was displayed between the 4th of January, 1903, and the remarkable effort to obtain the ratification of the Hay-Herran treaty with Colombia.

Early in January he summoned the Isthmian Canal Commission back to life, after it was functus officio; gave oral directions that they should confer with M. Edouard Lampré, secretary of the New Panama Canal Company. This was done as soon as he was informed of the receipt of the cable dispatch of M. Bô to M. Bonfivé.

It was a rapid movement, headed by our Commander in Chief, in the lead of a raid.

The report of the Commission was made to the President on the 18th of March, 1903. Señor Silva was then minister from Colombia and was pressed to negotiate a treaty for canal concessions; he refused to treat with the Secretary of State for canal concessions on that basis; he was recalled, went home, and died while under imprisonment for his obstinate conduct. No man was ever more pressed and badgered than Señor Silva was to compel him to yield the point that Marroquin had no power to alienate any of the territorial property, by lease or sale, under the constitution and laws of Colombia. Silva kept faith with his honor, and died for it.

Mr. Concha was then sent as minister to the United States, and a treaty was concluded with him on the 21st of March, 1903. On the 3d of March, 1903, and earlier, the President had ordered war ships to Panama to protect the transit. The reasons for that expedition have not been stated to Congress, but civil war was then flagrant in all the departments of Colombia, and the so-called rebels—the Liberals—had gained important battles after hard fighting and great losses on both sides. The fighting had reached Panama on both sides of the Isthmus, and strong forces were gathering on the Isthmus. There was hard fighting at Bocas del Toro, and before that time other battles had been fought at points distant from the railroad, but neither then nor later was transit on that road interfered with.

The war in Colombia had then been in progress for nearly three years between the Liberals and the Church party, of which Marroquin was the head. The war in Colombia ceased with the capitulation of General Herrera and his forces, November 21, 1902. The Hay-Herran treaty was signed January 23, 1903, and was ratified by the Senate on the 17th of March, 1903.

**THE PURPOSE OF THE PRESIDENT IN THESE MOVEMENTS.**

From the date of the first dispatch from M. Bô the purpose of Mr. Roosevelt was obvious. It was to push the Panama Canal through to the confirmation of concessions from Colombia. He resolved to push it until the concessions should be obtained from any authority that he might recognize as representing the Government of Colombia. And if lawful authority to do these things did not exist he resolved to create it by his recognition.

During the period of all these negotiations and of all our dealings with the Panama Canal Company, in which Colombia was a stockholder, it had no other legal character or rights except such as were derived under the laws of Colombia, and all the departments of that Government were in a state of siege, under martial law, while civil war raged in the Republic. Colombia had no Congress in commission. It had vanished and the terms of all its legislators had expired, and no elections had been held to supply a Congress. Marroquin was sole dictator and ruled under the laws of war, but not according to their precepts.

Under the constitution of Colombia no grant or lease of lands could be made to a foreign country unless Congress had first authorized the grant and had also ratified it.

Both of the treaties I have mentioned were grants of land to the United States, and privileges in land, and for the enactment and enforcement of laws and regulations within the territory of Colombia, to be enforced within a canal zone; and there was no Congress to authorize or ratify the grants, and no Congress had acted on the subject of such a grant or lease to the United States.

In respect of the extension of the Wyse concession from 1904 to 1910, which is an important part of the rights conceded to the United States in both the negotiations with Colombia that were concluded by Mr. Hay, the Congress of Colombia in 1898 had refused to ratify it. Besides the concession to Wyse, which was

copied into a statute of Colombia, expressly forbids its transfer to any foreign government and made an offer to do so a forfeiture of the concession.

Those treaties could not stand, even as negotiations, for such purposes, because the Colombian Congress had never authorized them.

Article 76 of the constitution of Colombia is as follows:

Congress shall make the laws. By means of these laws it exercises the following functions:

IX. To authorize the Government to make contracts, negotiate loans, alienate national property, and exercise other functions within constitutional limits.

XIV. To approve or reject contracts or agreements entered into by the President of the Republic with private persons, companies, or political corporations, in which the national treasury is interested, if they have not been previously authorized, or if the formalities prescribed by Congress have not been complied with, or if any conditions contained in the law authorizing them have been disregarded.

Our President is bound, in the exercise of even his discretionary diplomatic functions, to respect the organic laws of foreign countries. This is a canon of international public law. But, as to the American republics, he is bound also, by the higher law of regard for our own constitutional system, to respect the constitutions of those States.

He could not observe these principles when he entered into treaties with Marroquin, who, though he was President of Colombia, was the military dictator of the Republic, and the State was so crippled in its organism that it had no Congress that could approve or reject a treaty that alienated property by contract or that could authorize him to enter into such a contract.

If this was not the reason for the rejection of the Hay-Herran treaty assigned by the Senate of Colombia, it was a sufficient reason. It was also a sufficient reason for cautious restraint by our Government, when we were agreeing to pay \$10,000,000 into the hands of a dictator who was at war with a great political party in his Government. If he should win in that struggle the Liberals would always call the \$10,000,000 "blood money." If he should lose, the Liberals would not ratify the treaty.

But our President and Marroquin did not stop in their headlong career to ride down these plain provisions in the constitution of Colombia, or to consider that those treaties would leave a shadow of doubt on the character of the great Republic.

Regardless of these high considerations and reckless of consequences to Colombia and to the honor and dignity of the United States, and alike regardless of the obligations of the United States to Nicaragua and Costa Rica and of the rights secured by President McKinley in the protocols of December 1, 1900, and despite the fact that he had no evidence, except cable dispatches, to ascertain the powers of the president of the board of directors of the Panama Canal Company, the President supported the claims of the New Panama Canal Company with all his might, and provided for their purchase by obtaining the consent of Marroquin to the sale of the Wyse concession to the United States, in violation of the terms of that concession and of the statute law of Colombia and of the constitution of Colombia.

This was done when the final report of the Isthmian Canal Commission denounced the leading members of that company as convicted felons whose offenses had been condoned, and by record evidence, as well as the statements in that report, it was known that this company had robbed the creditors and stockholders of the old company to an enormous extent.

Those men could not deserve the recognition of the President of the United States as allies in an honorable and most important enterprise.

They are not fit men to advise our people as to their public duties. They got Colombia into a terrible civil war to advance their evil purposes, and now they are exposing us to untold evils and national reproach as a sacrifice to their greed.

#### PROGRESS OF PANAMA CANAL AND OF THE MARITIME CANAL OF NICARAGUA.

Professor Keasbey, of Bryn Mawr College, in his work on the Nicaragua Canal, a very able and accurate work, says:

By this time (1888) the activity of the Panama Canal Company, both in Paris and on the Isthmus, had reached an unprecedented pitch. It was an activity devoted, however, not so much to the actual prosecution of the work as to the feeding and nest-feathering of a new brood of vultures.

With what funds there were left out of the first installments of the stock after paying for the preliminary expenses a force of some 300 Europeans were sent out from Paris in October, 1881, to clear the line and arrange for the necessary plant. It was soon found that instead of 100,000,000 cubic yards of excavation that De Lesseps has been figuring on, the canal as planned would require an excavation of at least 170,000,000 cubic yards. Little was thought of this change, however, and in 1882 actual operations were commenced on the canal itself at different points along the line. The work was not undertaken by the original contractors, Messrs. Couvreux and Hersent, however, for they had followed the prudent example of the Turr-Wyse syndicate and retired from the enterprise with a large indemnity—but by a score of companies whose bids were higher, but whose promises, at least, were equally brilliant.

But the work of excavation did not progress with the dispatch that was expected. The climate was found to be deadly, and at the very outset a large number of the unacclimated European laborers and two or three of the company's most competent engineers succumbed. This raised wages considerably and introduced a spirit of recklessness and lack of responsibility in the

continuation of the work. Considerable excavation was accomplished, it is true, in the lowlands on either shore by the work of powerful dredges, but this was a comparatively easy task. Upon the Culebra cut in the interior, however, the contractors fell far behind their promises, and very little impression was made.

In the early part of this period the Government of the United States was gathering and discussing information as to the plans, construction, cost, and income of the Suez Canal, derived chiefly from the thorough and excellent report of Professor Nourse, who was sent out by the Navy Department in 1882 to make investigations. In his letter transmitting his report Professor Nourse says:

The experience of the Suez Canal seems to be especially instructive by its full success in the construction of a "harbor against nature," an argument cumulative in favor of reclaiming any shoaled harbor.

His reference was to the harbor at Port Said, which was constructed by a breakwater that caught and held the enormous sand drift from the mouths of the Nile, and the practicability of restoring the "shoaled" harbor at Greytown.

The Government also sent officers to Panama to inspect the progress of the canal work and other conditions relating to that subject. Their reports have been published and fully confirm the statements of Professor Keasbey as to the saturnalia of reckless waste, vice, disease, and death that prevailed in that region.

#### 1885 TO 1889. THE PROGRESS OF THE MARITIME CANAL COMPANY IN ITS WORK.

The American people and their representatives, thrown back upon the plan of the Clayton-Bulwer treaty for building a canal by private enterprise in consequence of the withdrawal of the Frelinghuysen-Zavala treaty, looked to the Maritime Canal Company for the construction of the canal. They furnished money, by sales of stock, as it was then needed, for carrying on the work, to the amount of \$4,500,000, which was expended wisely, economically, and honestly. The construction company had financial arrangements in London with eminent bankers to supply the funds for the completion of the canal, but they failed in the great panic of 1892-93.

January 6, 1887, Mr. Edmunds reported to the Senate a bill to charter the Maritime Canal Company of Nicaragua, which became a law with the approval of the President on February 20, 1889. In this act the United States provided for the legislative control of that company in future and the right to require its officers to make reports to the Government when called upon, besides other forms of controlling its operations. It became and was afterwards treated by Congress as being distinctively under the jurisdiction of the United States.

To this extent, which was far-reaching, Congress returned to the doctrine of an American canal under American control. This company was organized under the encouragement of General Grant and General McLean, and comprised a body of men as distinguished and as influential as any company of equal numbers in the United States or elsewhere.

#### THE DECLINE OF DE LESSEPS'S PANAMA CANAL.

In the meantime the Panama Canal Company began to show its weakness. De Lesseps was vainly endeavoring to get money from the people to continue the work. Failing in this support, De Lesseps, in November, 1887, petitioned the French assembly for leave to issue lottery bonds as a means of raising money. The matter of such loans had been taken up in the Senate of the United States in 1880, and resolutions were adopted declaring that such action on the part of France would be regarded as unfriendly by the United States. Yet France, having disclaimed any such purpose in 1880, enacted a law in June, 1888, authorizing the company to raise money by lottery, and it was carried into execution, and 12,543,184 francs were subscribed for under that law.

The total of capital and loans of the company was 2,271,637.57 francs.

It was in article 3 of this law of June 8, 1888, that France placed, as a condition of the privilege granted, that "all machinery necessary for the accomplishment of the work shall be made in France. The raw material shall be of French origin."

Thus did France legislate, especially, for the canal company, making it in a most important respect a French company, and in doing this it violated its express promise to the United States in reply to a letter of Mr. Evarts in 1880, in which Max Aubrey, the French minister, said:

Although we have for the conceptions of our eminent compatriots the sympathy which it is impossible not to feel for projects whose accomplishment would be an honor to civilization and to the age in which we live, the French Government, as I have had the honor to assure you, is in no way concerned in that enterprise and in no way proposes to interfere therein or to give it support, either direct or indirect.

The support that France gave to that company seven years later was both direct and indirect, and was valuable to it and also to France.

Of this support the Isthmian Canal Commission says:

The holders of the lottery bonds had the right to stop payments due to the old company, which would have been a serious matter for the liquidation

and would have deprived it of all its resources, if it had not secured from the legislative department of the Government the passage of the law of July 15, 1889. (Report of Isthmian Canal Commission, Pt. II, p. 25.)

This clinches the assertion that France took full legislative control of this corporation and still holds it. Some day we may find, at least, that France must be consulted in respect of our dealings with the Panama Canal Company. So far no question has been asked her and not a word has been said to her on this subject by our Government, so far as Congress or the world has had any information.

Yet we deal with this great subject, under the advice of the Attorney-General, as if the Panama Canal Company were "a private partnership" over which France has no control and with which it has no connection.

#### CAUSES THAT LED UP TO THE PRESENT CONDITIONS IN PANAMA.

I must now present some facts of history in which are established the causes that have led up to the present conditions in Panama and in France in respect of the two Panama canal companies. The old company transmitted to the New Panama Canal Company not only its scandals and its frauds, but, with the aid of American agents and attorneys, the remains of its property have been the means of creating far more dangerous temptations and bolder schemes of aggression upon the Treasury of the United States, and thus the plighted faith of the Government then will compel us to engage in war with Colombia, unless we can open still wider the doors of the Treasury and pacify her with money.

The Senate may be impatient, and the newspapers may chide me for speaking at too great length, but the narrative is a long chain of facts that it is my duty to lay before the country.

The records I will quote are authentic, and if they are consulted now the people may be spared the necessity of reading another series of war records in which, at the best, little glory is to be won by their sacrifices.

#### THE PANAMA CANAL COMPANY STOPS BUSINESS, AND THE CRASH INCREASES AMERICAN ACTIVITY, AND FROM THE TRAVAIL OF THE OLD COMPANY THE NEW PANAMA CANAL COMPANY COMES FORTH.

The Panama Canal Company stopped business and went into liquidation February 4, 1889, and Joseph Brunt was appointed receiver at the instance of M. De Lesseps.

Professor Keasbey published his work on canals in November, 1896, after the Maritime Canal Company and the old Panama Canal Company had failed, and France had proceeded to wind up the latter, and the United States was endeavoring to work out the concessions of Nicaragua and Costa Rica to the Maritime Canal Company and to build the canal. His statements are historically true, impartial, and just. I prefer to adopt them rather than incur the possible criticism of others as to my own summary of the historical facts.

On page 463, and following, Professor Keasbey says:

The immediate results of the official liquidation of the Panama Canal Company's affairs have already been set down in the course of the narrative, and the effect of these figures upon the volatile French mind may well be imagined. As the parliamentary inquiry progressed the indignation of the people grew, until finally, on November 21, 1892, the storm burst in a mad fury. The matter was then brought up in the Chamber on an interpellation by M. Delahaye, and though no definite accusations were brought it was stated that \$900,000 at least had been improperly used by the canal company in bribing senators and deputies.

The Government could not face the storm directly, and it was therefore agreed that a special committee of thirty-nine members be appointed to examine into the truth of the charges. On the same day judicial summonses were issued against the directors of the company, charging them with the "use of fraudulent devices for creating belief in the existence of a chimerical effect, the spending of sums accruing from issues handed to them for a fixed purpose, and the swindling of all or part of the fortune of others."

The case was called up before the court of appeals on November 25, but as neither of the De Lesseps appeared, and as the evidence was not yet in shape, the trial was adjourned until January 10, 1893.

Baron Reinach, the company's financial agent, died very suddenly, before the special committee of the Chambers could include him in the prosecution. The circumstances surrounding his death were suspicious, and rumors of suicide and murder quickly spread. M. Brisson, chairman of the committee, called the Government's attention to these rumors, and requested that the body be exhumed and the theory of suicide tested. M. Loubet, minister of justice, replied that as no formal charges had been made the Government had no power to proceed. Brisson then moved a resolution of regret that the baron's papers had not been sealed upon his death. Loubet called for the order of the day instead, but the Chamber refused to sustain him. This was practically a vote of lack of confidence in the Government, and on November 28 the cabinet accordingly resigned, amid the wildest excitement.

Brisson and Casimir-Perier were called upon in turn by the President to construct a new cabinet, but both failed. M. Ribot, the foreign minister, was finally successful, and on the 5th of December the new Government resumed control. This cabinet change amounted to a victory for the canal company's opponents, and the investigation was now allowed to proceed without further hindrance on the part of the Government. The committee then came forward with startling evidences of corruption. The wholesale bribery of the Paris press was revealed in all its details. M. Thierree declared before the committee that the late Baron Reinach had deposited \$670,000 in his bank in Panama funds and drawn it out again in 26 checks to bearer.

Senators, deputies, Government officers, and journalists were now named as the recipients. M. Andrieux, ex-prefect of police, asserted that \$200,000 had been distributed by the company's agents among his colleagues alone, and, as a further result of his evidence, 100 members of the legislature were implicated in the scandal. M. Rouvier, minister of finance, then caused

another sensation by resigning his portfolio and confessing that he had supplemented the secret service fund by soliciting contributions (from friends of the Government) in order to put down the Boulangists.

The names of almost all the leaders of the Republic were thus besmirched, and it was time for the new Government to act. The directors of the canal company were accordingly arrested now on the more serious charge of corrupting public functionaries. Warrants were also issued against 5 senators and 5 deputies, and 5 of the 10 were found to be ex-ministers of the Government.

The trials were then begun. On January 10, 1893, the adjourned case came up before the court of appeals, and on February 14 sentence was pronounced upon the directors. Ferdinand and Charles De Lesseps were each condemned to five years' imprisonment and a fine of \$300, M. Fontane and Cottu two years in prison and a fine of \$400, and M. Eiffel two years' imprisonment and a fine of \$4,000, as his own net profits of the general rascality had amounted to a far larger share than the rest.

It is on this "Eiffel Tower" that M. Bunau Varilla should hang out the flag of the Republic of Panama, if he would do justice to French history.

On March 8 the trial for corruption was taken up before the assize court against the younger De Lesseps, M. Fontane, Baihaut, Blondin, and ex-Minister Proust, Senator Beral, and others. De Lesseps received one year more imprisonment; Blondin was sentenced to two years more in prison, and M. Baihaut was punished with five years' imprisonment, a fine of \$13,000, and loss of civil rights.

The Panama Canal scandal also found its echo in the United States. The company, as we know, had its committee and financial agents in this country, and there were grave suspicions that Representatives of our own Congress, as well as deputies of the French Chamber, had received a share in the spoils. It was also asserted that the Panama Railway Company, now practically owned by the French, had entered into a contract with the Pacific Mail Steamship Company to maintain transcontinental rates, in restraint of trade. A special Congressional committee was accordingly appointed to examine into the several charges. Legislative corruption could not be proved on the evidence presented, but the committee cautiously admitted that further investigation might not be altogether fruitless in this connection. Mr. Thompson's activities as chairman of the Comité Américain were now brought to light, and mention was also made of the sums paid to the three New York banking houses for apparently no consideration on their part.

In regard to the alleged combination of railroad and steamship companies to prevent free competition between the Isthmian and transcontinental routes the committee was more explicit. From the report it appeared that the transcontinental lines, the Pacific Mail Company, and the Panama Railway Company were all in the league, and that this combination had for the past "fifteen years been diminishing commerce between New York and San Francisco across the Isthmus." This monopoly, the committee thought, could not be beneficial either to the domestic or to the foreign commerce of the country, and therefore recommended that it be broken up at once by the Government.

The committee's conclusions, and the subsequent resolutions adopted by Congress in favor of American control, were indeed encouraging to the canal promoters, but it was now recognized, more fully than before, that the Maritime Canal Company had a powerful domestic enemy in the transcontinental railway combination. These very Pacific roads were, however, themselves the first fruits of the country's post-bellum policy of encouraging private enterprise with promises of governmental support, and now it was proposed to carry out somewhat the same idea with regard to the Nicaragua Canal. But the people of the United States, and more particularly those of the western and southwestern sections of the country, had already had their object lesson in this regard, and they were not at all inclined to embark on a like project again, however smooth sailing it might now promise to be.

I will now present an extract from the report of our Isthmian Canal Commission, as follows:

The scandals connected with the failure of the old company, which had led to the prosecution and conviction of De Lesseps and other prominent persons, had made it difficult to secure even that amount. Suits had been brought against certain loan associations, administrators, contractors, and others who were supposed to have unduly profited by the extravagant management of the old company. A series of compromises were made with these persons, by which it was agreed that they should subscribe for stock in the new company on condition that the suits should be dropped. Whatever amount remained to make up the 60,000,000 francs, after deducting the sums thus obtained and those to be obtained by public subscription, was to be subscribed by the liquidator. The stock was subscribed as follows, viz:

	Francs.
Eiffel	10,000,000
Crédit Lyonnais	4,000,000
Société Générale	4,000,000
Crédit Industriel et Commercial	2,000,000
Administrators of the old company	7,885,000
Artigue, Sonderegger & Co.	2,200,000
Baratoux, Letellier & Co.	2,200,000
Jacob heirs	750,000
Couyreaux, Hersent & Co.	500,000
Various persons to the number of 60, who had profited by syndicates created by the old company	3,285,700
Hugo Oberlander	3,800,000
Public subscription	3,484,800
The liquidator	15,885,000
<b>Total</b>	<b>60,000,000</b>

See fourth report of the liquidator to the court, dated November 20, 1895, pages 8, 9, and 13.

This report, with the part of the deposition of Hon. Samuel Pasco, one of the commissioners, shows that Eiffel, a stockholder in the New Panama Canal Company to the amount of 10,000,000 francs of the 60,000,000 francs subscribed, is the same man who was convicted of swindling the old company and sentenced to the penitentiary for two years and was fined \$4,000, or 20,000 francs.

Eiffel is one of the men, of whom there are sixty who are not named, that are referred to in the statement of the Commission that—

A series of compromises were made with these persons by which it was agreed that they should subscribe for stock in the new company on condition that the suit should be dropped.

## THE NEW COMPANY IS CREATED.

1894. The liquidator of the old company had concluded to abandon the De Lesseps sea-level canal, and assembled a scientific board to pass upon the question of changing that plan to a canal with locks. Having obtained a favorable report from the board in 1894 and having no legislative authority from France or Colombia for creating a new company to take over the property of the old company in his custody and to complete the canal as a canal with locks, he appealed to the French courts for permission to create such a company. This was done to cover any liability of the liquidator for a proceeding that was ultra vires and to escape the probable refusal of the French Assembly to enact a law conferring such powers upon him. It was one of those devices of the French courts in usurping power that excite astonishment; but I do not now wish to discuss the legality of such decrees.

Mr. TELLER. Mr. President, I understand the Senator from Alabama will not be able to conclude to-night, and I ask that he may now be allowed to suspend his remarks until to-morrow.

The PRESIDENT pro tempore. It was understood, the Chair thinks, the question of reconsideration submitted by the Senator from Maine [Mr. HALE] would come up in the morning for further discussion. The Chair will recognize the Senator from Alabama immediately after that matter is concluded.

Mr. CARMACK. What was the suggestion, Mr. President?

The PRESIDENT pro tempore. The Chair understood the motion for reconsideration offered by the Senator from Maine would come up for discussion immediately after the morning business to-morrow, as it was laid aside for that purpose this morning. The Chair will be glad to recognize the Senator from Alabama immediately after that.

Mr. GORMAN. Mr. President, I suggest that by unanimous consent, if the Senator from Alabama now gives way, he be allowed to proceed immediately after the routine business of the morning hour to-morrow.

The PRESIDENT pro tempore. The Senator from Maryland asks unanimous consent that the Senator from Alabama may be recognized immediately after the completion of the morning business to-morrow. Is there objection?

Mr. ALDRICH. I shall not object, but as the other business is technically morning business, I suggest that it be also understood that after the Senator from Alabama has concluded his remarks the motion to reconsider, made by the Senator from Maine [Mr. HALE], shall then come up.

Mr. GORMAN. I have no objection to that.

Mr. ALDRICH. I think that is necessary in order that the motion to reconsider may retain its place.

Mr. GORMAN. There is no objection to that.

The PRESIDENT pro tempore. The Chair hears no objection, and that order will be made.

The motion to reconsider will go over, and the resolution in regard to the appointment of committees will also go over.

## TRADE RELATIONS WITH CUBA.

Mr. CULLOM. After consultation with many Senators, I desire to submit a request for unanimous consent. For the convenience of the Senate I have had it reduced to writing and will read it. I ask unanimous consent that on Monday, December 7, 1903, and on each of the following days when the Senate shall be in session, after the completion of the routine morning business, until and including December 16, 1903, the consideration of the bill to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, 1902 (H. R. 1921), shall be proceeded with; that on Tuesday, December 15, and Wednesday, December 16, the time for debate shall be equally divided between the advocates and opponents of the said bill, and that the final vote on said bill and all amendments pending or offered shall be taken before the Senate shall adjourn on Wednesday, December 16, 1903.

I present this request for unanimous consent, and hope it will be agreed to.

The PRESIDENT pro tempore. Does the Senator desire that the request for unanimous consent shall be read also by the Secretary?

Mr. CULLOM. I think the substance of it is understood by the Senate.

The PRESIDENT pro tempore. The request for unanimous consent has been read to the Senate. Is there objection to the request for unanimous consent? The Chair hears none, and the request is granted.

## EXECUTIVE SESSION.

Mr. GALLINGER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After thirty-five minutes spent in executive session the doors were reopened, and (at 4 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, November 24, 1903, at 12 o'clock meridian.

## NOMINATIONS.

*Executive nominations received by the Senate November 23, 1903.*

## MARSHAL.

Eugene P. Nute, of New Hampshire, to be marshal of the United States for the district of New Hampshire. A reappointment, his term expiring December 18, 1903.

## PROMOTIONS IN THE NAVY.

Lieut. Albert Moritz to be a lieutenant-commander in the Navy from the 27th day of March, 1903, vice Lieut. Commander William R. A. Rooney, retired.

Lieut. Commander John C. Colwell to be a commander in the Navy from the 28th day of April, 1903, vice Commander Julius S. Ogden, deceased.

Lieut. Emil Theiss to be a lieutenant-commander in the Navy from the 28th day of April, 1903, vice Lieut. Commander John C. Colwell, promoted.

Lieut. Albert L. Key to be a lieutenant-commander in the Navy from the 11th day of October, 1903, vice Lieut. Commander Stacy Potts, promoted.

Asst. Surg. Joseph C. Thompson to be a passed assistant surgeon in the Navy from the 19th day of July, 1901, to fill a vacancy existing in that grade on that date.

## PENSION AGENT.

Jesse B. Fuller, of California, to be pension agent at San Francisco, Cal., his term having expired July 18, 1902. (Reappointment.)

## POSTMASTERS.

## CALIFORNIA.

Walter M. Avis to be postmaster at Pomona, in the county of Los Angeles and State of California, in place of Samuel N. Andrews. Incumbent's commission expired January 13, 1903.

## GEORGIA.

Virginia W. Henderson to be postmaster at Oxford, in the county of Newton and State of Georgia, in place of William L. H. Henderson, deceased.

## ILLINOIS.

Erich H. Buente to be postmaster at Venice, in the county of Madison and State of Illinois. Office became Presidential April 1, 1903.

William W. Colt to be postmaster at Rushville, in the county of Schuyler and State of Illinois, in place of William I. Larash, removed.

## INDIAN TERRITORY.

Louis M. Merritt to be postmaster at Roff, in the Chickasaw Nation, Ind. T. Office became Presidential October 1, 1903.

## IOWA.

Frank B. Tibbitts to be postmaster at Hopkinton, in the county of Delaware and State of Iowa. Office became Presidential October 1, 1903.

## MASSACHUSETTS.

George A. Hibbard to be postmaster at Boston, in the county of Suffolk and State of Massachusetts, in place of George A. Hibbard. Incumbent's commission expires December 14, 1903.

## NEW HAMPSHIRE.

Charles L. Bemis to be postmaster at Marlboro, in the county of Cheshire and State of New Hampshire. Office became Presidential July 1, 1903.

## NEW JERSEY.

Henry W. Edsall to be postmaster at Hamburg, in the county of Sussex and State of New Jersey, in place of Henry W. Edsall. Incumbent's commission expired January 19, 1903.

## NEW YORK.

James H. Callanan to be postmaster at Schenectady, in the county of Schenectady and State of New York, in place of Matthew Taylor, resigned.

## NORTH CAROLINA.

Elisha C. Terry to be postmaster at Hamlet, in the county of Richmond and State of North Carolina. Office became Presidential April 1, 1903.

## OHIO.

William R. Tyler to be postmaster at Huron, in the county of Erie and State of Ohio, in place of William R. Tyler. Incumbent's commission expired January 12, 1902.

## PENNSYLVANIA.

David Reynolds, sr., to be postmaster at Ford City, in the county of Armstrong and State of Pennsylvania, in place of Andrew C. Bailey, resigned.

## VIRGINIA.

William M. Adams to be postmaster at Norton, in the county of Wise and State of Virginia. Office became Presidential April 1, 1903.

## WASHINGTON.

Francis M. Lighthizer to be postmaster at Harrington, in the county of Lincoln and State of Washington. Office became Presidential October 1, 1903.

Nelson Rich to be postmaster at Prosser, in the county of Yakima and State of Washington. Office became Presidential October 1, 1903.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate November 23, 1903.*

## CONSULS.

Thomas J. Cummins, of New York, to be consul of the United States at Puerto Cabello, Venezuela.

Leo Bergholz, of New York, to be consul of the United States at Three Rivers, Quebec, Canada.

Martin R. Sackett, of New York, to be consul of the United States at Prescott, Ontario, Canada.

Edward J. Sullivan, of New York, to be consul of the United States at Erzerum, Turkey.

David F. Wilber, of New York, to be consul of the United States at Barbados, West Indies.

William H. H. Webster, of New York, to be consul of the United States at Niagara Falls, Ontario, Canada.

Dean R. Wood, of New York, to be consul of the United States at Ceiba, Honduras.

## GOVERNOR OF HAWAII.

George R. Carter, of Honolulu, Hawaii, to be governor of Hawaii.

## DISTRICT JUDGE.

Sanford B. Dole, of Hawaii, to be United States district judge of the Territory of Hawaii.

## MARSHAL.

Eugene P. Nute to be United States marshal for the district of New Hampshire.

## ATTORNEY-GENERAL OF PORTO RICO.

Willis Sweet, of Idaho, to be attorney-general of Porto Rico.

## SURVEYOR-GENERAL.

Frank S. Ingalls, of Yuina, Ariz., to be surveyor-general of Arizona.

## PROMOTION IN THE MARINE-HOSPITAL SERVICE.

Asst. Surg. Mark J. White, of New York, to be a passed assistant surgeon in the Public Health and Marine-Hospital Service of the United States, to rank as such from August 4, 1903.

## APPOINTMENT IN THE MARINE-HOSPITAL SERVICE.

Thomas W. Salmon, of New York, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

## SURVEYOR OF CUSTOMS.

Arthur N. Randall, of New York, to be surveyor of customs for the port of Port Jefferson, in the State of New York.

## RECEIVERS OF PUBLIC MONEYS.

Alvah Eastman, of St. Cloud, Minn., to be receiver of public moneys at St. Cloud, Minn.

Egbert S. Oakley, of Buffalo, Minn., to be receiver of public moneys at Cass Lake, Minn.

William B. Hodge, jr., of Guthrie, Okla., to be receiver of public moneys at Guthrie, Okla.

Joseph C. Auld, of Forsyth, Mont., to be receiver of public moneys at Miles City, Mont.

## REGISTERS OF THE LAND OFFICE.

Hugh C. Phillips, of Goldendale, Wash., to be register of the land office at Vancouver, Wash.

John D. Jones, of Long Prairie, Minn., to be register of the land office at Cass Lake, Minn.

Myron D. Taylor, of St. Cloud, Minn., to be register of the land office at St. Cloud, Minn.

## PROMOTIONS IN THE ARMY.

## TO BE BRIGADIER-GENERALS.

4. Col. Jared A. Smith (since retired from active service), Corps of Engineers, April 13, 1903.

5. Col. Jacob B. Rawles (since retired from active service), Artillery Corps, April 14, 1903.

6. Col. Stephen W. Groesbeck (since retired from active service), judge-advocate, April 16, 1903.

7. Col. John R. Myrick (since retired from active service), Artillery Corps, April 17, 1903.

8. Col. Louis H. Rucker (since retired from active service), Eighth Cavalry, April 18, 1903.

9. Col. Theodore A. Baldwin (since retired from active service), Seventh Cavalry, April 19, 1903.

10. Col. William P. Rogers (since retired from active service), Thirtieth Infantry, April 20, 1903.

11. Col. Peter C. Hains, Corps of Engineers, April 21, 1903.

12. Col. John H. Page (since retired from active service), Third Infantry, July 26, 1903.

13. Col. Charles A. Woodruff (since retired from active service), assistant commissary-general, July 27, 1903.

14. Col. William L. Haskin (since retired from active service), Artillery Corps, July 28, 1903.

15. Col. Charles W. Miner (since retired from active service), Sixth Infantry, July 29, 1903.

16. Col. James M. J. Sanno (since retired from active service), Eighteenth Infantry, July 30, 1903.

17. Col. Charles F. Robe (since retired from active service), Ninth Infantry, July 31, 1903.

18. Col. James W. Reilly (since retired from active service), Ordnance Department, August 1, 1903.

19. Col. Edwin B. Atwood (since retired from active service), Assistant Quartermaster-General, August 2, 1903.

20. Col. Frank G. Smith (since retired from active service), Artillery Corps, August 3, 1903.

21. Col. George B. Rodney (since retired from active service), Artillery Corps, August 4, 1903.

22. Col. Almond B. Wells (since retired from active service), First Cavalry, August 5, 1903.

23. Col. Peter J. A. Cleary (since retired from active service), Assistant Surgeon-General, August 6, 1903.

24. Col. John B. Babcock (since retired from active service), Assistant Adjutant-General, August 7, 1903.

## ADJUTANT-GENERAL'S DEPARTMENT.

*To be assistant adjutant-general with rank of colonel.*

Lieut. Col. George Andrews, assistant adjutant-general, August 7, 1903.

## INSPECTOR-GENERAL'S DEPARTMENT.

*To be inspectors-general with rank of colonel.*

Lieut. Col. Thomas T. Knox (since retired from active service), inspector-general, April 11, 1903.

Lieut. Col. Stephen C. Mills, inspector-general, April 12, 1903.

## JUDGE-ADVOCATE-GENERAL'S DEPARTMENT.

Lieut. Col. Enoch H. Crowder, judge-advocate, to be judge-advocate with the rank of colonel, April 16, 1903.

Maj. John A. Hull, judge-advocate, to be judge-advocate with the rank of lieutenant-colonel, April 16, 1903.

## QUARTERMASTER'S DEPARTMENT.

*To be assistant quartermasters-general with the rank of colonel.*

Lieut. Col. Forrest H. Hathaway, deputy quartermaster-general, April 12, 1903.

Lieut. Col. Joshua W. Jacobs, deputy quartermaster-general, August 2, 1903.

*To be deputy quartermasters-general with rank of lieutenant-colonel.*

Maj. John McE. Hyde, quartermaster, April 13, 1903.

Maj. George Ruhlen, quartermaster, August 2, 1903.

*To be quartermasters with rank of major.*

Capt. John M. Carson, jr., quartermaster, April 12, 1903.

Capt. Alfred M. Palmer, quartermaster, August 2, 1903.

## SUBSISTENCE DEPARTMENT.

Lieut. Col. William L. Alexander, deputy commissary-general, to be assistant commissary-general with the rank of colonel, July 27, 1903.

Maj. James N. Allison, commissary, to be deputy commissary-general with the rank of lieutenant-colonel, July 27, 1903.

Capt. William H. Hart, commissary, to be commissary with the rank of major, July 27, 1903.

## MEDICAL DEPARTMENT.

*To be assistant surgeon-general with the rank of colonel.*

Lieut. Col. Philip F. Harvey, deputy surgeon-general, August 6, 1903.

*To be deputy surgeon-general with the rank of lieutenant-colonel.*

Maj. George H. Torney, surgeon, August 6, 1903.

*To be surgeons with the rank of major.*

Capt. William F. Lippitt, assistant surgeon, March 18, 1903.

Capt. Merritte W. Ireland, assistant surgeon, August 3, 1903.

Capt. George M. Wells, assistant surgeon, August 6, 1903.

## PAY DEPARTMENT.

*To be paymasters with the rank of major.*

Capt. Robert S. Smith, paymaster, February 19, 1903.

Capt. Seymour Howell, paymaster, June 25, 1903.

## CORPS OF ENGINEERS.

*To be colonels.*

Lieut. Col. David P. Heap, Corps of Engineers, April 13, 1903.  
 Lieut. Col. William A. Jones, Corps of Engineers, April 21, 1903.

*To be lieutenant-colonels.*

Maj. Ernest H. Ruffner, Corps of Engineers, April 13, 1903.  
 Maj. Clinton B. Sears, Corps of Engineers, April 21, 1903.

*To be majors.*

Capt. George A. Zinn, Corps of Engineers, April 13, 1903.  
 Capt. William C. Langfitt, Corps of Engineers, April 21, 1903.

*To be captains.*

First Lieut. William B. Ladue, Corps of Engineers, April 13, 1903.  
 First Lieut. William J. Barden, Corps of Engineers, April 21, 1903.

*To be first lieutenants.*

Second Lieut. Ernest D. Peek, Corps of Engineers, April 13, 1903.  
 Second Lieut. George R. Spalding, Corps of Engineers, April 21, 1903.  
 Second Lieut. Elliott J. Dent, Corps of Engineers, June 4, 1903.

## ORDNANCE DEPARTMENT.

*To be colonels.*

Lieut. Col. John A. Kress (since retired from active service), Ordnance Department, August 1, 1903.

*To be lieutenant-colonels.*

Maj. Charles S. Smith, Ordnance Department, April 5, 1903.  
 Maj. Stanhope E. Blunt, Ordnance Department, August 1, 1903.

*To be majors.*

Capt. Lawrence L. Bruff, Ordnance Department, April 5, 1903.  
 Capt. Charles H. Clark, Ordnance Department, August 1, 1903.

*To be captains.*

First Lieut. John H. Rice, Ordnance Department, April 5, 1903.  
 First Lieut. David M. King, Ordnance Department, August 1, 1903.

## SIGNAL CORPS.

*To be captains.*

First Lieut. Walter L. Clarke, Signal Corps, March 2, 1903.  
 First Lieut. Basil O. Lenoir, Signal Corps, March 2, 1903.  
 First Lieut. William Mitchell, Signal Corps, March 2, 1903.  
 First Lieut. Henry W. Stamford, Signal Corps, March 2, 1903.  
 First Lieut. Charles S. Wallace, Signal Corps, March 2, 1903.  
 First Lieut. George S. Gibbs, Signal Corps, March 2, 1903.  
 First Lieut. Charles de F. Chandler, Signal Corps, March 2, 1903.

## CAVALRY ARM.

*To be colonels.*

Lieut. Col. John B. Kerr, United States Cavalry, assistant adjutant-general, March 30, 1903.  
 Lieut. Col. Joseph H. Dorst, Twelfth Cavalry, April 15, 1903.  
 Lieut. Col. George S. Anderson, Sixth Cavalry, April 18, 1903.  
 Lieut. Col. Earl D. Thomas, Thirteenth Cavalry, April 19, 1903.  
 Lieut. Col. Martin B. Hughes, Tenth Cavalry, August 5, 1903.

*To be lieutenant-colonels.*

Maj. George F. Chase, Seventh Cavalry, April 15, 1903.  
 Maj. William H. Beck, Eighth Cavalry, April 15, 1903.  
 Maj. Peter S. Bomus, First Cavalry, April 18, 1903.  
 Maj. James Parker, United States Cavalry, assistant adjutant-general, April 19, 1903.  
 Maj. Joseph Garrard, Ninth Cavalry, April 22, 1903.  
 Maj. Frank U. Robinson, Second Cavalry, May 25, 1903.  
 Maj. Otto L. Hein, Third Cavalry, August 5, 1903.

*To be majors.*

Capt. Curtis B. Hoppin, Second Cavalry, March 23, 1903.  
 Capt. Loyd S. McCormick, United States Cavalry, commissary, April 15, 1903.  
 Capt. Henry L. Ripley, Third Cavalry, April 15, 1903.  
 Capt. Jacob G. Galbraith, First Cavalry, April 18, 1903.  
 Capt. James B. Erwin, Fourth Cavalry, April 22, 1903.  
 Capt. George H. Morgan, Third Cavalry, April 27, 1903.  
 Capt. Daniel H. Boughton, Third Cavalry, May 25, 1903.  
 Capt. Horatio G. Sickel, Seventh Cavalry, July 16, 1903.  
 Capt. Andrew G. Hammond, Eighth Cavalry, August 5, 1903.

*To be captains.*

First Lieut. Robert B. Powers, Seventh Cavalry, March 23, 1903.  
 First Lieut. Francis H. Pope, Second Cavalry, April 4, 1903.  
 First Lieut. Matthew E. Hanna, Second Cavalry, April 15, 1903.  
 First Lieut. George E. Mitchell, Seventh Cavalry, April 17, 1903.  
 First Lieut. Pierce A. Murphy, Seventh Cavalry, April 18, 1903.

First Lieut. Frederick T. Arnold, Fourth Cavalry, April 22, 1903.  
 First Lieut. James N. Munro, Fourteenth Cavalry, April 27, 1903.  
 First Lieut. William S. Valentine, Second Cavalry, May 15, 1903.  
 First Lieut. Henry C. Smither, First Cavalry, May 17, 1903.  
 First Lieut. Roy B. Harper, Seventh Cavalry, May 25, 1903.  
 First Lieut. Thomas A. Roberts, Tenth Cavalry, July 16, 1903.  
 First Lieut. Edgar A. Sirmyer, Tenth Cavalry, August 5, 1903.

*To be first lieutenants.*

Second Lieut. George F. Bailey, Eighth Cavalry, February 25, 1903.  
 Second Lieut. Robert Sterrett, Fourth Cavalry, March 1, 1903.  
 Second Lieut. William B. Renziehausen, Fifth Cavalry, March 23, 1903.  
 Second Lieut. Kyle Rucker, Fourteenth Cavalry, April 4, 1903.  
 Second Lieut. George Garity, Second Cavalry, April 15, 1903.  
 Second Lieut. Emory S. West, Sixth Cavalry, April 17, 1903.  
 Second Lieut. Ralph C. Caldwell, Eleventh Cavalry, April 18, 1903.  
 Second Lieut. George M. Lee, Seventh Cavalry, April 22, 1903.  
 Second Lieut. Eben Swift, jr., Fifth Cavalry, April 27, 1903.  
 Second Lieut. Edgar N. Coffey, Twelfth Cavalry, May 15, 1903.  
 Second Lieut. James S. Butler, Twelfth Cavalry, May 17, 1903.  
 Second Lieut. Solomon L. Jeffers, Twelfth Cavalry, May 25, 1903.  
 Second Lieut. Henry S. Terrell, Eighth Cavalry, July 16, 1903.  
 Second Lieut. Albert E. Phillips, Eighth Cavalry, August 5, 1903.

## ARTILLERY CORPS.

*To be colonels.*

Lieut. Col. Abner S. Merrill, Artillery Corps, April 14, 1903.  
 Lieut. Col. William Ennis, Artillery Corps, assistant adjutant-general, April 17, 1903.  
 Lieut. Col. George S. Grimes, Artillery Corps, July 19, 1903.  
 Lieut. Col. John M. K. Davis, Artillery Corps, July 28, 1903.  
 Lieut. Col. Benjamin K. Roberts, Artillery Corps, August 3, 1903.  
 Lieut. Col. James O'Hara (since retired from active service), Artillery Corps, August 4, 1903.

*To be lieutenant-colonels.*

Maj. Ephraim T. C. Richmond, Artillery Corps, April 14, 1903.  
 Maj. Ramsay D. Potts, Artillery Corps, inspector-general, July 19, 1903.  
 Maj. Elbridge R. Hills, Artillery Corps, July 28, 1903.  
 Maj. Sydney W. Taylor, Artillery Corps, assistant adjutant-general, July 31, 1903.  
 Maj. Charles Humphreys, Artillery Corps, August 3, 1903.  
 Maj. Luigi Lomia, Artillery Corps, August 4, 1903.

*To be majors.*

Capt. Henry H. Ludlow, Artillery Corps, April 14, 1903.  
 Capt. William R. Hamilton, Artillery Corps, April 14, 1903.  
 Capt. Charles W. Foster, Artillery Corps, July 28, 1903.  
 Capt. Clarence Deems, Artillery Corps, July 31, 1903.  
 Capt. John V. White, Artillery Corps, August 3, 1903.  
 Capt. Erasmus M. Weaver, Artillery Corps, August 4, 1903.

*To be captains.*

First Lieut. Percy P. Bishop, Artillery Corps, April 14, 1903.  
 First Lieut. Henry J. Hatch, Artillery Corps, April 14, 1903.  
 First Lieut. Elmer J. Wallace, Artillery Corps, May 2, 1903.  
 First Lieut. William F. Hase, Artillery Corps, July 28, 1903.  
 First Lieut. William R. Doores, Artillery Corps, July 31, 1903.  
 First Lieut. Alfred A. Starbird, Artillery Corps, July 31, 1903.  
 First Lieut. James F. Howell, Artillery Corps, August 3, 1903.  
 First Lieut. John C. Goodfellow, Artillery Corps, August 4, 1903.

*To be first lieutenants.*

Second Lieut. Allan Lefort, Artillery Corps, April 14, 1903.  
 Second Lieut. Joseph Matson, Artillery Corps, April 14, 1903.  
 Second Lieut. Jesse G. Langdon, Artillery Corps, May 2, 1903.  
 Second Lieut. Francis H. Lincoln, Artillery Corps, June 2, 1903.  
 Second Lieut. Daniel F. Craig, Artillery Corps, July 28, 1903.  
 Second Lieut. Robert B. Mitchell, Artillery Corps, July 31, 1903.  
 Second Lieut. William H. Wilson, Artillery Corps, August 3, 1903.  
 Second Lieut. Edward D. Powers, Artillery Corps, August 4, 1903.

## INFANTRY ARM.

*To be colonels.*

Lieut. Col. John J. O'Connell, Third Infantry, April 20, 1903.  
 Lieut. Col. Samuel R. Whitall, Twenty-seventh Infantry, July 26, 1903.  
 Lieut. Col. James Regan, Ninth Infantry, July 29, 1903.  
 Lieut. Col. John B. Rodman (since retired from active service), Tenth Infantry, July 30, 1903.  
 Lieut. Col. Harry L. Haskell, Twelfth Infantry, July 31, 1903.

*To be majors.*

Capt. John Newton, Sixteenth Infantry, March 15, 1903.  
 Capt. Samuel W. Dunning, Sixteenth Infantry, March 19, 1903.  
 Capt. Joseph M. T. Partello, Twenty-third Infantry, April 17, 1903.  
 Capt. Lewis H. Strother, Twenty-sixth Infantry, April 20, 1903.  
 Capt. Francis P. Fremont, Second Infantry, May 25, 1903.  
 Capt. Charles M. Truitt, Twenty-eighth Infantry, June 23, 1903.  
 Capt. George Bell, jr., Fifteenth Infantry, July 26, 1903.  
 Capt. Charles J. T. Clarke, Tenth Infantry, July 29, 1903.  
 Capt. Warren H. Cowles, Twenty-fourth Infantry, July 30, 1903.  
 Capt. John S. Parke, jr., Twenty-first Infantry, July 31, 1903.

*To be lieutenant-colonels.*

Maj. Leven C. Allen, Sixteenth Infantry, March 15, 1903.  
 Maj. James E. Macklin, Eleventh Infantry, April 20, 1903.  
 Maj. William L. Pitcher, Eighth Infantry, May 25, 1903.  
 Maj. Herbert S. Foster, Twelfth Infantry, July 26, 1903.  
 Maj. John C. Dent, Twenty-fourth Infantry, July 29, 1903.  
 Maj. George K. McGunnegle, Twenty-sixth Infantry, July 30, 1903.  
 Maj. Edgar B. Robertson, Ninth Infantry, July 31, 1903.

*To be captains.*

First Lieut. G. Manry Crallé, Twentieth Infantry, March 15, 1903.  
 First Lieut. Joseph F. Gohn, Fourteenth Infantry, March 19, 1903.  
 First Lieut. James H. Bradford, jr., Nineteenth Infantry, April 17, 1903.  
 First Lieut. David L. Stone, Twenty-second Infantry, April 20, 1903.  
 First Lieut. Alfred W. Bjornstad, Twenty-ninth Infantry, May 1, 1903.  
 First Lieut. Patrick A. Connolly, Twenty-first Infantry, May 25, 1903.  
 First Lieut. John B. Schoeffel, Ninth Infantry, May 25, 1903.  
 First Lieut. Walter T. Bates, Twenty-sixth Infantry, June 2, 1903.  
 First Lieut. Englebert G. Ovenshine, Sixteenth Infantry, June 23, 1903.  
 First Lieut. Percy M. Cochran, Nineteenth Infantry, July 26, 1903.  
 First Lieut. George N. Bomford, Sixth Infantry, July 29, 1903.  
 First Lieut. Benjamin P. Nicklin, Ninth Infantry, July 29, 1903.  
 First Lieut. John W. French, Twenty-fifth Infantry, July 30, 1903.  
 First Lieut. Cromwell Stacey, Thirtieth Infantry, July 31, 1903.  
 First Lieut. William A. Cavanaugh, Eighth Infantry, August 7, 1903.

*To be first lieutenants.*

Second Lieut. Franklin S. Leisenring, Eleventh Infantry, February 4, 1903.  
 Second Lieut. Charles F. Andrews, Seventh Infantry, February 10, 1903.  
 Second Lieut. Allan L. Briggs, Seventh Infantry, February 18, 1903.  
 Second Lieut. Solomon B. West, Twenty-second Infantry, February 28, 1903.  
 Second Lieut. William M. True, Sixteenth Infantry, March 4, 1903.  
 Second Lieut. James M. Petty, Twentieth Infantry, March 15, 1903.  
 Second Lieut. Martin Novak, Nineteenth Infantry, March 19, 1903.  
 Second Lieut. John B. Shuman, Twenty-eighth Infantry, April 10, 1903.  
 Second Lieut. Charles G. Lawrence, Fifteenth Infantry, April 11, 1903.  
 Second Lieut. Frederic G. Kellond, Nineteenth Infantry, April 17, 1903.  
 Second Lieut. William P. Kitts, Twenty-first Infantry, April 20, 1903.  
 Second Lieut. Eugene P. Crowne, Fourth Infantry, May 1, 1903.  
 Second Lieut. Henry M. Fales, Twenty-first Infantry, May 7, 1903.  
 Second Lieut. William C. Fitzpatrick, Seventh Infantry, May 25, 1903.  
 Second Lieut. Herbert L. Evans, Ninth Infantry, May 25, 1903.  
 Second Lieut. Walter Harvey, Sixteenth Infantry, June 2, 1903.  
 Second Lieut. Frank B. Davis, Fifth Infantry, June 23, 1903.  
 Second Lieut. Harry D. Mitchell, Sixteenth Infantry, July 23, 1903.  
 Second Lieut. Ode C. Nichols, Fourth Infantry, July 25, 1903.  
 Second Lieut. Kirwin T. Smith, Sixth Infantry, July 26, 1903.

Second Lieut. William W. Bessell, Twenty-sixth Infantry, July 29, 1903.

Second Lieut. Frank C. Burnett, Tenth Infantry, July 29, 1903.  
 Second Lieut. Collin H. Ball, Twenty-third Infantry, July 30, 1903.

Second Lieut. A. Owen Seaman, Eleventh Infantry, July 31, 1903.  
 Second Lieut. Clifford U. Leonori, Twenty-first Infantry, August 5, 1903.

Second Lieut. Benjamin H. Pope, Eighth Infantry, August 7, 1903.

*TO BE SECOND LIEUTENANTS.**Corps of Engineers.*

Cadet Douglas MacArthur.

Cadet Charles T. Leeds.

Cadet Harold C. Fiske.

Cadet Max C. Tyler.

Cadet Ulysses S. Grant, 3d.

Cadet Julian L. Schley.

Cadet William H. Rose.

Cadet Ferdinand Williams.

Cadet Richard C. Moore.

Cadet Lewis M. Adams.

*Cavalry Arm.*

Cadet Charles Telford.

Cadet Levi G. Brown.

Cadet William M. Nichols.

Cadet Olan C. Aleshire.

Cadet Emil P. Laurson.

Cadet Frederick E. Shnyder.

Cadet Thomas F. Van Natta, jr.

Cadet James A. Mars.

Cadet George L. Morrison.

Cadet Orville N. Tyler.

Cadet James A. Shannon.

Cadet Allan M. Pope.

Cadet Reynolds J. Powers.

Cadet John C. Montgomery.

Cadet James S. Jones.

Cadet Edward M. Zell.

Cadet Dorsey R. Rodney.

Cadet Alexander M. Milton.

Cadet Hugh S. Johnson.

Cadet Carl Boyd.

Cadet Stephen W. Winfree.

Cadet Ehpraim F. Graham.

*Artillery Corps.*

Cadet Owen G. Collins.

Cadet Scott Baker.

Cadet Frederic H. Smith.

Cadet Marion W. Howze.

Cadet George W. Cochen.

Cadet Charles H. Patterson.

Cadet Lewis Turtle.

Cadet Henry S. Kilbourne, jr.

Cadet Clifford Jones.

Cadet Wilford J. Hawkins.

Cadet Louis C. Brinton, jr.

Cadet Thomas E. Selfridge.

Cadet Henning F. Colley.

Cadet Paul D. Bunker.

Cadet Quinn Gray.

Cadet Louis R. Dice.

Cadet William M. Colvin.

Cadet Francis M. Hinkle.

*Infantry Arm.*

Cadet George A. Lynch.

Cadet Grayson M-P. Murphy.

Cadet Samuel M. Parker.

Cadet Robert M. Lyon.

Cadet Francis H. Farnum.

Cadet Benjamin E. Grey.

Cadet Elvid Hunt.

Cadet Benjamin F. McClellan.

Cadet Campbell B. Hodges.

Cadet Jacob W. S. Wuest.

Cadet Max B. Garber.

Cadet Leo I. Samuelson.

Cadet Corbit S. Hoffman.

Cadet Walter V. Gallagher.

Cadet Clifton M. Butler.

Cadet Edmund L. Bull.

Cadet Truman W. Carrithers.

Cadet George F. Rozelle, jr.

Cadet Arthur E. Ahrends.

Cadet Charles F. Severson.  
 Cadet Harry S. Grier.  
 Cadet Reuben C. Taylor.  
 Cadet Charles B. Moore.  
 Cadet Clark Lynn.  
 Cadet Cornelius Stockmar Bendel.  
 Cadet Robert E. Boyers.  
 Cadet Burt W. Phillips.  
 Cadet Ben F. Ristine.  
 Cadet Albert Gilmore.  
 Cadet George R. Guild.  
 Cadet Stuart A. Howard.  
 Cadet John F. Franklin.  
 Cadet William C. Russell.  
 Cadet Roland W. Boughton.  
 Cadet John S. Upham.  
 Cadet Keith S. Gregory.  
 Cadet Irving M. Madison.  
 Cadet Ellery Farmer.  
 Cadet Everett N. Bowman.  
 Cadet Homer N. Preston.  
 Cadet Jesse Gaston.  
 Cadet Edward A. Brown.  
 Cadet Charles F. Smith.

#### APPOINTMENTS IN THE ARMY.

##### INFANTRY ARM.

George A. Detchemendy, late captain, Twenty-second Infantry, United States Army, to be captain of infantry, May 9, 1903.

##### CAVALRY ARM.

Alden M. Graham, late a private, Troop B, Fourth Cavalry, to be second lieutenant, February 2, 1901.

##### TRANSFERS IN THE ARMY.

Second Lieut. Norman H. Davis, Twenty-fifth Infantry, from the Infantry Arm to the Cavalry Arm, March 27, 1903, with rank from October 19, 1902.

Second Lieut. George E. Nelson, First Infantry, from the Infantry Arm to the Cavalry Arm, July 11, 1903, with rank from June 13, 1903.

##### TO BE SECOND LIEUTENANTS.

##### Cavalry Arm.

Thomas L. Sherburne, of Louisiana, late second lieutenant, United States Army, July 16, 1903.

##### Infantry Arm with rank from June 13, 1903.

George Edgar Nelson, of Vermont.  
 Stephen Morris Barlow, from at large.  
 Jesse Duncan Elliott, of Alabama.  
 Edward Himmelwright Tarbuton, of Maryland.  
 Carroll Borden Hodges, from at large.  
 Fitzhugh Berry Alderdice, of Maryland.  
 William Goodlett Motlow, of Tennessee.

##### Infantry Arm, to rank from October 9, 1903.

Sergt. James M. Churchill, Forty-second Company, Coast Artillery.

Corpl. Philip H. Bagby, Forty-first Company, Coast Artillery.

Sergt. Luther R. James, Twenty-ninth Company, Coast Artillery.

Sergt. Andrew D. Chaffin, Company B, Twenty-ninth Infantry.

Private Ernest B. Smalley, Company L, Twentieth Infantry.

Sergt. Henry W. Bunn, Company G, Twenty-second Infantry.

Sergt. (First Class) Frederick W. Boschen, Hospital Corps.

Sergt. Charles W. Stewart, Troop I, Second Cavalry.

Corpl. Emil Engel, Troop D, Eleventh Cavalry.

Corpl. Louis Farrell, Company K, Twenty-seventh Infantry.

Sergt. Charles O. Schudt, Company L, Nineteenth Infantry.

Corpl. Fred W. Pitts, Company H, Second Battalion of Engineers.

Sergt. Emmett Addis, Casual Detachment, Eleventh Cavalry.

Sergt. Harry L. King, Twenty-sixth Company, Coast Artillery.

Sergt. James B. Nalle, Forty-seventh Company, Coast Artillery.

Corpl. William F. Robinson, jr., Company E, Second Battalion of Engineers.

Sergt. John J. Burleigh, Thirteenth Company, Coast Artillery.

Sergt. Manuel M. Garrett, Coast Artillery.

Sergt. Gordon A. Dennis, One hundred and twentieth Company, Coast Artillery.

Squadron Sergt. Maj. Arthur G. Hixson, Fourth Cavalry.

Corpl. Augustine A. Hofmann, Forty-second Company, Coast Artillery.

Sergt. Henry S. Brinkerhoff, jr., Sixty-sixth Company, Coast Artillery.

Battalion Sergt. Maj. Fitzgerald S. Turton, Sixteenth Infantry.

Sergt. James Blyth, Company I, Eighteenth Infantry.

Corpl. Frank C. McCune, Troop F, Fourteenth Cavalry.  
 Sergt. Edwin Gunner, Sixth Company, Coast Artillery.  
 Sergt. Resolve P. Palmer, Company D, Sixth Infantry.  
 Private Edward E. McCammon, Company E, Fourteenth Infantry.

Sergt. Paul H. McDonald, Troop L, Twelfth Cavalry.

Q. M. Sergt. Philip Remington, Company E, Seventeenth Infantry.

Sergt. Frank L. Beals, Fourth Company, Coast Artillery.

Corpl. Charles H. Rich, Troop E, Twelfth Cavalry.

Sergt. Paul C. Potter, Thirtieth Company, Coast Artillery.

Corpl. Albert T. Rich, Troop E, Twelfth Cavalry.

Battalion Sergt. Maj. David P. Wood, Fifteenth Infantry.

##### Infantry Arm.

First Sergt. William F. Harrell, Sixty-ninth Company, Coast Artillery, June 12, 1903.

##### INSPECTOR-GENERAL'S DEPARTMENT.

##### To be inspectors-general with the rank of brigadier-general.

Col. Peter D. Vroom (since retired from active service), Inspector-General, April 11, 1903 (for a period of four years).

Col. George H. Burton, Inspector-General, April 12, 1903 (for a period of four years).

##### JUDGE-ADVOCATE-GENERAL'S DEPARTMENT.

Capt. Walter A. Bethel, Artillery Corps, acting judge-advocate, United States Army, to be judge-advocate with rank of major, July 15, 1903.

##### Quartermaster's Department.

Kensley J. Hampton, of Kentucky, late assistant quartermaster, United States Volunteers, to be quartermaster with the rank of captain, April 21, 1903.

##### MEDICAL DEPARTMENT.

##### To be assistant surgeons with rank of first lieutenant.

James Irving Maybee, of Michigan, May 18, 1903.

George Pullen Peed, of Virginia, late major and surgeon, United States Volunteers, July 10, 1903.

Henry Denny Thomason, of Michigan, late major and surgeon, United States Volunteers, July 10, 1903.

Ralph Stribling Porter, of Illinois, later major and surgeon, United States Volunteers, July 10, 1903.

Percy Lancelot Jones, of Tennessee, late captain and assistant surgeon, United States Volunteers, July 10, 1903.

##### To be assistant surgeons with rank of first lieutenant.

Fred Wheeler Palmer, of Michigan, late captain and assistant surgeon, United States Volunteers, July 10, 1903.

Edward Bright Vedder, of Pennsylvania, July 10, 1903.

Henry Flanagan Pipes, of West Virginia, July 10, 1903.

Charles Lovelace Foster, of the District of Columbia, July 10, 1903.

John Robert Bosley, of Maryland, July 10, 1903.

Robert Courtenay Loving, of Kentucky, July 10, 1903.

Chester Jewett Stedman, of West Virginia, July 10, 1903.

Orville Graham Brown, of the District of Columbia, July 10, 1903.

George Frederick Juenemann, of Maryland, July 10, 1903.

Joseph Franklin Siler, of Alabama, July 10, 1903.

Arthur Maunder Whaley, of Michigan, July 10, 1903.

Theodore Lamson, of Massachusetts, October 8, 1903.

Craig Richard Snyder, of Illinois, October 13, 1903.

Ernest Grey Bingham, of Alabama, October 13, 1903.

James Downie Heysinger, of Pennsylvania, October 13, 1903.

Lloyd Llewellyn Smith, of New Jersey, October 13, 1903.

John Braiden Huggins, of New York, October 13, 1903.

Edgar William Miller, of Iowa, October 13, 1903.

William Henry Tefft, of New York, October 13, 1903.

##### To be chaplains.

Rev. John Aloysius Ferry, of New York, June 4, 1903.

Rev. Andrew C. Murphy, of Illinois, September 17, 1903.

Rev. David Law Fleming, of Colorado, late chaplain First Colorado Volunteer Infantry, September 18, 1903.

##### POSTMASTERS.

##### GEORGIA.

George F. Flanders to be postmaster at Swainsboro, in the county of Emanuel and State of Georgia.

George L. Liverman to be postmaster at Bainbridge, in the county of Decatur and State of Georgia.

##### ILLINOIS.

Alfred Schuler to be postmaster at Mound City, in the county of Pulaski and State of Illinois.

##### IOWA.

Fred W. Wilson to be postmaster at Ottumwa, in the county of Wapello and State of Iowa.

## KANSAS.

Orley C. Billings to be postmaster at Marion, in the county of Marion and State of Kansas.

Richard L. Musson to be postmaster at Elk City, in the county of Montgomery and State of Kansas.

## KENTUCKY.

Eugene W. Veluzat to be postmaster at Horse Cave, in the county of Hart and State of Kentucky.

## MASSACHUSETTS.

George H. Hibbard to be postmaster at Boston, in the State of Massachusetts.

## MINNESOTA.

Axel R. Anderson to be postmaster at Sparta, in the county of St. Louis and State of Minnesota.

Otho A. Austin to be postmaster at New York Mills, in the county of Ottertail and State of Minnesota.

Oliver B. Boobar to be postmaster at Sauk Center, in the county of Stearns and State of Minnesota.

Frank H. Buelow to be postmaster at Sleepy Eye, in the county of Brown and State of Minnesota.

Henry C. Miller to be postmaster at St. Peter, in the county of Nicollet and State of Minnesota.

S. J. Swanson to be postmaster at Cokato, in the county of Wright and State of Minnesota.

William E. Talboys to be postmaster at Chisholm, in the county of St. Louis and State of Minnesota.

William H. Towle to be postmaster at Annandale, in the county of Wright and State of Minnesota.

## MONTANA.

Clarence H. Drake to be postmaster at Chouteau, late Choteau, in the county of Teton and State of Montana.

## NEW HAMPSHIRE.

Charles L. Bemis to be postmaster at Marlboro, in the State of New Hampshire.

## NEW JERSEY.

Ellison D. Petteys to be postmaster at Keyport, in the county of Monmouth and State of New Jersey.

## NORTH DAKOTA.

Henry R. Aslakson to be postmaster at Edmore, in the county of Ramsey and State of North Dakota.

## TENNESSEE.

James S. Beasley to be postmaster at Centerville, in the county of Hickman and State of Tennessee.

William B. Farris to be postmaster at Pulaski, in the county of Giles and State of Tennessee.

Lewis J. Garner to be postmaster at Cookeville, in the county of Putnam and State of Tennessee.

Rufus T. Hickman to be postmaster at Lynnville, in the county of Giles and State of Tennessee.

Lorenzo H. Lasater to be postmaster at Athens, in the county of McMinn and State of Tennessee.

Thomas J. Littleton to be postmaster at Estill Springs, in the county of Franklin and State of Tennessee.

## VERMONT.

Albert H. Cheney to be postmaster at Stowe, in the county of Lamolle and State of Vermont.

Henry E. Spencer to be postmaster at Proctor, in the county of Rutland and State of Vermont.

## SENATE.

TUESDAY, November 24, 1903.

Prayer by the Chaplain, Rev. F. J. PRETTYMAN.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. KEAN, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

## ANNIVERSARY CELEBRATION AT NEW ORLEANS.

The PRESIDENT pro tempore. At the request of the senior Senator of Louisiana [Mr. MCENERY], the Chair presents a communication from the governor of that State, which will be read.

The communication was read, and ordered to lie on the table, as follows:

The governor of Louisiana requests the honor of the honorable the President pro tempore and members of the Senate's presence at the celebration of the one hundredth anniversary of the transfer of Louisiana by France to the United States, to be held December 18, 19, and 20, 1903, New Orleans.

## JOINT AND CONCURRENT RESOLUTIONS.

The PRESIDENT pro tempore. The Chair desires to call the attention of the Senate to a matter which came up in the Senate on yesterday. A concurrent resolution was under consideration and passed. The Senator from Colorado [Mr. TELLER] asked the Chair if it went to the President and required his signature. The

Chair replied, No. The Chair finds this article in the Constitution of the United States:

Every order, resolution, or vote, to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or, being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

Within the experience of the Chair in the Senate no concurrent resolution has ever been sent to the President of the United States, nor has he ever signed one. The Chair has endeavored faithfully to find out how concurrent resolutions escape the provision of the Constitution. He has not been able to succeed.

Mr. HALE. Under that construction, then, is there any real difference between a joint resolution and a concurrent resolution; that is, a concurrent resolution can not be more easily put through, and it is subject to all the conditions which surround a joint resolution? Is it different from a joint resolution except in form?

Mr. GALLINGER. It does not have the three readings.

Mr. HALE. That is a matter of form. It must go to the President equally with the joint resolution. I was surprised at the suggestion, and I think the Chair and the Senate were equally surprised, after we had supposed that concurrent resolutions do not have to go to the President.

Mr. PLATT of Connecticut. This question arose by reason of a suggestion I made that it was not necessary to have a joint resolution for the printing of documents. I knew it had not been the practice in all cases, at any rate. As I was speaking I felt some uncertainty about the difference between a joint resolution and a concurrent resolution. I have not looked up the matter, but it occurs to me now that in a former session of the Senate this question was raised when the then Senator from New York, Mr. Hill—

Mr. BERRY. Yes, the Senator from New York, Mr. Hill.

Mr. PLATT of Connecticut. Senator Hill made a most exhaustive and elaborate report upon it. Precisely what the conclusion in that report was I do not know. I do not care to express any opinion this morning until I have looked at the matter a little more fully.

Mr. SPOONER. Mr. President, just a word. I should hate to have it understood that all concurrent resolutions must be presented to the President for his approval. A resolution of the two Houses to adjourn—

Mr. PLATT of Connecticut. That is excluded.

Mr. SPOONER. The Constitution says, "except on a question of adjournment," but suppose it is a resolution which is simply advisory, which simply declares the opinion of the two Houses on some question of public policy. For instance, the House and the Senate might pass a resolution declaring that it was their sole function, in the opinion of the Houses of Congress, to exercise some particular power, like the recognition of belligerency, or that in the opinion of the two Houses of Congress there should be no impairment of the Monroe doctrine—that is, something which is not law, which is not intended to be law, which is intended to be only the expression of an opinion upon the part of the Houses. A resolution of that kind, I should think, would not properly be presented to the President.

The distinction, I take it, is that any resolution or order appropriating money (for that may be done in the form of a resolution as well as in the form of a bill) is to be presented for approval to the President. Any matter which is to become a rule of action in the country, binding upon the Executive Departments—in other words, a law—is to be presented to the President, and that is to be distinguished from resolutions which have passed both Houses simply expressing the opinion of the two Houses upon questions of public policy.

Mr. TELLER. I should like to ask the Senator if the words in the Constitution, "before the same shall take effect," do not indicate that it must be a legislative act?

Mr. SPOONER. Certainly they do; and another thing indicates it:

Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary.

That means necessary under the Constitution.

Mr. TELLER. Certainly.

Mr. SPOONER. It means necessary to the enactment of a rule of action, which is a law.

Mr. HALE. The language read does seem to be absolute and all-embracing, but suppose it is a matter relating simply to the two Houses, a concurrent resolution providing for a joint committee to be raised upon a subject. The initiation is a concurrent resolution passed first by one House and then by the other. As some one at my side suggests, we pass a concurrent resolution raising a committee to wait upon the President.

Mr. STEWART. A concurrent resolution was passed before the Cuban war asking the President to accord belligerent rights to Cuba.